



City of Stuart

AGENDA

REGULAR MEETING OF THE STUART CITY COMMISSION

JULY 25, 2022

AT 5:30 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

CITY COMMISSION

**Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier**

ADMINISTRATIVE

**City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel**

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

ROLL CALL

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. WITHAM FIELD AIRPORT PRESENTATION

COMMENTS BY CITY COMMISSIONERS

COMMENTS BY CITY MANAGER

APPROVAL OF AGENDA

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

CONSENT CALENDAR

2. APPROVAL OF 06/20/2022 SCM BUDGET WORKSHOP #1 MINUTES (RC)
3. APPROVAL OF 7/11/2022 CCM MINUTES (RC)
4. SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION - IRL COST-SHARE AGREEMENT (RC):

RESOLUTION No. 65-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A COST-SHARE AGREEMENT FOR THE SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT WITH THE INDIAN RIVER LAGOON (IRL) COUNCIL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

END OF CONSENT CALENDAR

COMMISSION ACTION

5. BUDGET AMENDMENT FOR WATER/SEWER PROJECT AND MEMORIAL PHASE 4 DESIGN (RC):

RESOLUTION No. 64-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 15 TO THE 2021-2022 ENTERPRISE FUND AND GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR DIXIE HIGHWAY FORCE MAIN PROJECT & MEMORIAL PARK PHASE 4 DESIGN PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

6. SERVICE AGREEMENT WITH STUART MAIN STREET FOR 2023 FISCAL YEAR (RC):

RESOLUTION NO. 66-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT FOR STUART MAIN STREET BETWEEN THE CITY/CRA AND STUART MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC BENEFITS, REDEVELOPMENT, AND MAINTENANCE OF THE STUART MAIN STREET DISTRICT FOR THE 2023 FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

ORDINANCE SECOND READING

ORDINANCE FIRST READING

7. SAILFISH CAY FUTURE LAND USE MAP AMENDMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2486-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

8. SAILFISH CAY REZONING TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2487-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF SIXTY (60) TOWNHOUSE UNITS; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT

CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

9. REPEAL & REESTABLISH CHAPTER 36, ARTICLE V, CODE OF ORDINANCES (RC):

ORDINANCE No. 2488-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

DISCUSSION AND DELIBERATION

ADJOURNMENT

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 7/25/2022

Prepared by: Michelle Vicat

Title of Item:

WITHAM FIELD AIRPORT PRESENTATION

Summary Explanation/Background Information on Agenda Request:

Witham Field Airport Presentation

Funding Source:

N/A

Recommended Action:

N/A

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 7/25/2022

Prepared by: Susej Meleqi

Title of Item:

APPROVAL OF 06/20/2022 SCM BUDGET WORKSHOP #1 MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 06/20/2022 SCM BUDGET WORKSHOP #1 MINUTES

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

1. 06202022 SCM BUDGET WORKSHOP #1 Minutes

**MINUTES
SPECIAL MEETING - BUDGET WORKSHOP #1**

**OF THE STUART CITY COMMISSION
JUNE 20, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier**

ADMINISTRATIVE

**City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel**

ROLL CALL

4:03 PM

PRESENT: Mayor Matheson, Vice Mayor McDonald, Commissioner Bruner, Commissioner Clarke.

ABSENT: Commissioner Meier.

PLEDGE OF ALLEGIANCE

PRESENTATIONS

1. CAPITAL IMPROVEMENT ITEMS FOR FISCAL YEAR 2023 AND BEYOND.

David Dyess, City Manager, gave a summary of today's agenda.

Tim Voelker, Utilities & Engineering Director, gave a presentation on capital projects specifically related to his department.

Discussion occurred about the future water treatment construction timeline and staffing for the facilities.

City Manager Dyess addressed concerns about the amount requested for the courtesy dock.

4:40 PM

Milton Leggett, Public Works Director, gave a presentation on upcoming Public Works projects.

Vice Mayor McDonald expressed concern about the dog park taking away from other forms of recreation and requested the proposal be brought forward on a future agenda for discussion.

Commissioners discussed different recreational uses for parks.

The City Manager clarified the commission's recommendations and will bring it back for the next meeting.

The City Manager informed the commission that he met with the Housing Solutions Coalition regarding potential funding for the Haney Creek Trail Improvement project, stormwater improvements and Memorial Park upgrades.

City Manager Dyess presented the Police and Fire Station project in the Public Safety Building.

5:03 PM

Pinal Gandhi-Savdas, CRA Administrator, presented projects specific to the CRA.

Commissioners discussed the improvements to Seminole Street.

Ms. Gandhi-Savdas continued her presentation on the CRA projects.

2. FIRST LOOK AT OPENGOV BUDGET PLATFORM

5:16 PM

City Manager Dyess introduced OpenGov.

Louis Boglioli, Finance Director, spoke on OpenGov and navigated through the website, addressed the benefits of the new software system, and its capabilities.

Mr. Boglioli stated that the live launch site should happen before the budget is approved.

The City Manager explained the status of the other pieces of the launch, such as the Citizen Service portal that will soon be launched.

COMMENTS BY CITY COMMISSIONERS

5:36 PM

Commissioner Clarke

- Asked about Juneteenth becoming a holiday for the City of Stuart.

The City Manager explained that the holiday was deemed an Optional Holiday for staff.

- Requested an update on the Wells Fargo building.

The City Manager said that there is a possibility that there could be a move in 2025 and shared updates on possible relocation options.

- Requested an update on the Strategic Plan.

The City Manager stated that the plan will be brought forth in the following meeting on June 27, 2022.

COMMENTS BY CITY MANAGER

City Manager Dyess

- Asked the commission to address Stuart Main Street's agreement with the City.

Commissioners were in favor of extending their agreement for another year.

Discussion about Stuart Main Street's service agreement was further discussed.

APPROVAL OF AGENDA

5:43 PM MOTION: Approve.

MOVED BY: Eula Clarke

SECONDED BY: Troy McDonald

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

1. Mark Brechbill - SE Osceola St.; Asked about what inflation factor has been put into the budget and asked if OpenGov would have the City's historical budget data.

2. Christopher Collins - SE Flamingo Ave.; Asked about OpenGov security.

DISCUSSION AND DELIBERATION

ADJOURNMENT

5:47 PM

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 25th day of July, 2022.**

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 7/25/2022

Prepared by: Mary Kindel

Title of Item:

APPROVAL OF 7/11/2022 CCM MINUTES (RC)

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Approve Minutes.

ATTACHMENTS:

1. 07112022 CCM Minutes

**MINUTES
REGULAR MEETING OF THE STUART CITY COMMISSION
JULY 11, 2022
AT 4:00 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

CITY COMMISSION

**Mayor Merritt Matheson
Vice Mayor Troy McDonald
Commissioner Becky Bruner
Commissioner Eula R. Clarke
Commissioner Mike Meier**

ADMINISTRATIVE

**City Manager, David Dyess
City Attorney, Michael J. Mortell
City Clerk, Mary R. Kindel**

ROLL CALL

4:01 PM

PRESENT: Mayor Matheson, Vice Mayor McDonald, Commissioner Bruner, Commissioner Clarke, Commissioner Meier.

City Attorney Mortell attended the Commission Meeting via ZOOM Telecommunications; not present in person.

PLEDGE OF ALLEGIANCE

- 1. ARTS MOMENT - AUDOBON OF MARTIN COUNTY BIRD PHOTOGRAPHY BY JOHN NELSON**

John Nelson presented photographs taken of birds throughout Martin County, describing the various species and what they are known for.

PROCLAMATIONS

- 2. TREASURE COAST WATERWAY CLEANUP WEEK - JULY 16-24, 2022**

Mimi Adkins, Site Leader for the Indian Riverside Park and Tom Whittington, Owner of Manatee Pocket Yacht Sales and President of the Marine Industries Association of the Treasure Coast accepted the Proclamation, distributed items for the cleanup to the Commissioners, announced information, and invited all to participate.

3. PARKS AND RECREATION MONTH - JULY 2022

Jim Chrulski, Community Service Director, Milton Leggett, Public Works Director, Jessica Tharp and Michael Redstone of Community Services accepted the Proclamation.

PRESENTATIONS

4:20 PM

4. LEGISLATIVE APPROPRIATION PRESENTATION CHECK FOR ALTERNATIVE WATER SUPPLY PROJECT

Representative Toby Overdorf, Representative John Snyder, and Jordan Conners came forward and presented the check to the City.

The Commission thanked Representative Toby Overdorf, Representative John Snyder, and Jordan Conners, City of Stuart Lobbyist, for everything they've done for the City.

Mr. Jordan Conners thanked Representative Overdorf for his leadership on the PFOA and PFAS issues, while Representative Overdorf thanked the City for their leadership and the example they have set for all of Florida for the Alternative Water Supply Project.

5. SERVICE AWARDS - JULY 2022

Michael (Mick) Jacobson	Technology Services	20 Years
Alaina Knofla	Procurement & Contracting Services	10 Years
Joseph Ponte	Police	5 Years

No City employees were able to be present to accept their service award.

6. BRIGHTLINE UPDATE

4:27 PM

Ali Soule, VP, Community Relations of Brightline, presented Brightline's major milestones, the timeline review for the Treasure Coast, summarized the Phase 2 scope, and reviewed the existing St. Lucie River Bridge rehabilitation and mitigation.

Scott Gammon, Senior Vice President of Construction with Brightline continued with information on St. Lucie River Bridge Potential Replacement and the proposed next steps in funding, design and permitting, and support.

Ms. Soule reported on the safety efforts being made by Brightline. She reported that they have partnered with Martin County School District and look forward to working with the City and Martin County to get the message out to the public.

Commissioners participated in a comment/question and answer period with Brightline. Discussions included safety, education, the intersection at Florida Avenue, and the possibility of a Stuart station, which discussions will begin next year. The Commission thanked Brightline for coming.

COMMENTS BY CITY COMMISSIONERS

5:18 PM

Mayor Matheson

- Provided an update on Lake Okeechobee.

Commissioner Clarke

- Commented on the loss of CRA Board Member, past City Commissioner and Mayor, Mr. Pete Walson, thanking him for his service to the City and announcing he was Mayor three times while he was a Commissioner for more than 15 years. He also opened and owned the McDonalds restaurant on US1 in Stuart many years ago and commented that his service is greatly appreciated and he will be missed.

Vice Mayor McDonald

- Echoed Commissioner Clarke's comments about Pete Walson and stated he was sorry he did not get to know him better but knows he truly will be missed.

COMMENTS BY CITY MANAGER

City Manager David Dyess

- Request to continue Item #11 to the July 25, 2022 CCM meeting.

Commissioner Meier requested to pull Item #8 from the Consent Calendar.

APPROVAL OF AGENDA

5:22 PM MOTION: Approve pulling Item #8 from Consent Calendar and continuing Item #11 to July 25th CCM.

MOVED BY: Eula Clarke

SECONDED BY: Mike Meier

Motion approved unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

5:22 PM

- 1) Betty Brinkley - Nassau Ave; Commented about how ridiculous and bad Florida Avenue and Park St. are.
- 2) Bethany Smykay - Palm City; Commented on the boat traffic that will be held up at the rail bridge and the environmental impacts; announced an awareness event this Saturday.
- 3) Gween Brinkly - Port St. Lucie; Questions on the Brightline crossing at Florida Avenue, and MLK Park is included in the redesign.

City Manager Dyess addressed Ms.Brinkly's questions.

- 4) Althea Stoudmire - Commented that Brightline has the Commission "by the balls" and is not happy about the speed of the train and spoke on Florida Ave and Park St. intersection.
- 5) Rob Raniari - Thanked the Commission on the House of Hope Community Garden that is on the agenda.
- 6) Frank McChrystal - Flamingo Ave.; Commented on opposition to the Brightline train.

CONSENT CALENDAR

7. APPROVAL OF 06/27/2022 CCM MINUTES (RC)

END OF CONSENT CALENDAR

5:45 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Eula Clarke
Motion approved unanimously.

COMMISSION ACTION

8. LICENSE AGREEMENT - HOUSE OF HOPE COMMUNITY GARDEN (RC):

RESOLUTION No. 62-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AUTHORIZING THE CITY MANAGER TO EXECUTE LICENSE AGREEMENT RENEWAL NO. 2 BETWEEN THE CITY OF STUART AND HOUSE OF HOPE FOR THE OPERATION OF A COMMUNITY GARDEN ON CITY OWNED PROPERTY AT 520 SE FLORIDA STREET; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

(PULLED FROM CONSENT)

Commissioner Meier stated he is abstaining from voting due to a conflict and will submit Form 8B.

5:46 PM MOTION: Approve.
MOVED BY: Troy McDonald
SECONDED BY: Becky Bruner
VOTE:
YES: Becky Bruner, Merritt Matheson, Eula Clarke, Troy McDonald
NO: None
ABSTAIN: Mike Meier

9. DAR REQUEST FOR AUTHORIZATION TO PLACE AMERICA 250 MARKER (RC):

RESOLUTION No. 63-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE LOCATION OF AN AMERICA 250 MARKER WITHIN THE CITY OF STUART'S MEMORIAL PARK, GIVEN THE PHYSICAL FORMAT AND CONTEXT OF THE MARKER WILL BE IN COMPLIANCE WITH REGULATIONS AND STANDARDS OF THE OFFICE OF

THE HISTORIAN GENERAL, THROUGH A PARTNERSHIP WITH THE HALPATIOKEE CHAPTER OF THE DAUGHES OF THE AMERICAN REVOLUTION.

City Manager Dyess noted a correction to the Resolution. He stated that it is to be within Gazebo Park, not Memorial Park as stated in the Resolution title.

5:49 PM MOTION: Approve. (With the correction to the title of the Resolution being Gazebo Park, not Memorial Park)

MOVED BY: Troy McDonald

SECONDED BY: Becky Bruner

Motion approved unanimously.

ORDINANCE SECOND READING

10. PROPERTY MAINTENANCE CODE CHANGES (RC):

ORDINANCE No. 2496-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE EXISTING SECTION 10-59 THROUGH 10-84; SECTION 26-30; AND SECTIONS 42-38 THROUGH 42-305; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

5:53 PM MOTION: Approve.

MOVED BY: Troy McDonald

SECONDED BY: Mike Meier

Motion approved unanimously.

ORDINANCE FIRST READING

11. REPEAL & REESTABLISH CHAPTER 36, ARTICLE V, CODE OF ORDINANCES (RC):

ORDINANCE No. 2488-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

City Manager Dyess explained that the attachment that was attached to this item is incorrect, as City Attorney Mike Mortell wholesale changed the whole Ordinance and in the process of changing the Ordinance the incorrect attachment was added.

5:53 PM MOTION: Move to Continue to a Date Certain of July 25th.

MOVED BY: Mike Meier

SECONDED BY: Eula Clarke

Motion approved unanimously.

DISCUSSION AND DELIBERATION

ADJOURNMENT

5:55 PM

Mary R. Kindel, City Clerk

Merritt Matheson, Mayor

**Minutes to be approved at the Regular Commission
Meeting this 25th day of July, 2022.**

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST City Commission

Meeting Date: 7/25/2022

Prepared by: Timothy Voelker

Title of Item:

SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION - IRL COST-SHARE AGREEMENT (RC):

RESOLUTION No. 65-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A COST-SHARE AGREEMENT FOR THE SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT WITH THE INDIAN RIVER LAGOON (IRL) COUNCIL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The waters of the state of Florida are among its basic resources, and the Indian River Lagoon (IRL) Council has been authorized by the United States Environmental Protection Agency to be the local sponsor for the Indian River Lagoon National Estuary Program. Pursuant to the IRL Council Interlocal Agreement, the IRL Council is responsible for managing the Indian River Lagoon National Estuary Program. The Council has determined that providing cost-share funding in the amount of \$85,000 to the City of Stuart for the purposes of the SE Illinois Avenue Living Shoreline Demonstration Project will benefit the management of the water resources of the Indian River Lagoon.

The SE Illinois Avenue Living Shoreline Demonstration Project proposes to install a living shoreline to protect against erosion and to provide habitat for marine species and wading birds. The living shoreline plantings will also provide nutrient removal from the existing stormwater discharge entering the river at this location. A buffered shoreline will be constructed at the north end of SE Illinois Avenue to provide filtration for stormwater runoff from the northern portion of the SE Illinois Avenue right-of-way and adjacent properties. Although data on nutrient removal by living shorelines is scarce, it is estimated that 18.77 pounds per year of TN and 2.82 pounds per year of TP will be removed by this project. In addition, 442.23 pounds per year of TSS will be removed prior to discharge to the St. Lucie River.

Funding Source:

Project has been budgeted for FY23 in the amount of \$170,000. \$85,000 will be reimbursed by IRL and the remaining \$85,000 will be funded through the City's Stormwater Enterprise Fund.

Recommended Action:

Move approval of Resolution No. 65-2022.

ATTACHMENTS:

1. R65-2022 SE Illinois Ave Living Shoreline Demonstration - IRL Cost-Share Agreement
2. Cost-Share Agreement



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 65-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A COST-SHARE AGREEMENT FOR THE SE ILLINOIS AVENUE LIVING SHORELINE DEMONSTRATION PROJECT WITH THE INDIAN RIVER LAGOON (IRL) COUNCIL; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the Indian River Lagoon (IRL) Council provides cost-share funding to Recipients for the purposes provided for herein which will benefit the management of the water resources of the Indian River Lagoon; and

WHEREAS, the proposed SE Illinois Avenue Living Shoreline Demonstration Project will align with the IRLNEP's "One Lagoon - One Community- One Voice" mission; and

WHEREAS, the City of Stuart, Florida (the "City") previously adopted Resolution No. 13-2022 on January 24, 2022 authorizing the Utilities & Engineering Department to submit an IRL Council grant application; and

WHEREAS, the City continues to implement strategies to improve the quality of runoff entering the St. Lucie River to advance toward BMAP goals and improving the water quality of the St. Lucie River and Estuary.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The Mayor is hereby authorized and directed to execute an Indian River Lagoon (IRL) Council Cost-Share Agreement for the SE Illinois Avenue Living Shoreline Demonstration Project.

SECTION 2: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 25th day of July, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

**AGENCY COST-SHARE AGREEMENT BY AND BETWEEN THE
IRL COUNCIL AND CITY OF STUART, FLORIDA FOR
THE SE ILLINOIS AVENUE LIVING SHORELINE PROJECT**

THIS AGREEMENT ("Agreement") is entered into between the IRL COUNCIL ("Council"), whose address is 1235 Main Street, Sebastian, Florida 32958, and the CITY OF STUART, whose address is 121 SW Flagler Avenue, Stuart, Florida 34994 ("Recipient"). All references to the parties hereto include the parties, their officers, employees, agents, successors, and assigns.

RECITALS

The waters of the state of Florida are among its basic resources, and the Council has been authorized by the United States Environmental Protection Agency to be the local sponsor for the Indian River Lagoon National Estuary Program.

Pursuant to the IRL Council Interlocal Agreement, the Council is responsible for managing the Indian River Lagoon National Estuary Program.

The Council has determined that providing cost-share funding to Recipient for the purposes provided for herein will benefit the management of the water resources of the Indian River Lagoon.

The parties have agreed to jointly fund the following project to benefit the water resources in accordance with the funding formula further described in the Statement of Work, Attachment A (hereafter "the Project"):

Project description: A Living Shoreline will be installed to protect against erosion and to provide habitat for marine species and wading birds. The Living Shoreline plantings will also provide nutrient removal from the existing stormwater discharge entering the river at this location. A Buffered Shoreline will be constructed at the north end of SE Illinois Avenue to provide filtration for stormwater runoff from the northern portion of the SE Illinois Avenue right-of-way and adjacent properties.

In consideration of the above recitals, and the funding assistance described below, Recipient agrees to perform and complete the activities provided for in the Statement of Work, Attachment A. Recipient shall complete the Project in conformity with the contract documents and all attachments and other items incorporated by reference herein. This Agreement consists of all of the following documents: (1) Agreement, (2) Attachment A- Statement of Work; and (3) other attachments, if any. The parties hereby agree to the following terms and conditions.

1. TERM; WITHDRAWAL OF OFFER

- (a) The term of this Agreement is from the date upon which the last party has dated and executed the same ("Effective Date") until September 30, 2023 ("Completion Date"). Recipient shall not commence the Project until any required submittals are received and approved. Recipient shall commence performance on October 1, 2022 and shall complete performance in accordance with the time for completion stated in the Statement of Work. Time is of the essence for every aspect of this Agreement, including any time extensions.

- (b) This Agreement constitutes an offer until authorized, signed and returned to the Council by Recipient. This offer terminates forty-five (45) days after receipt by Recipient; provided, however, that Recipient may submit a written request for extension of this time limit to the Council's Project Manager, stating the reason(s) therefor. The Project Manager shall notify Recipient in writing if an extension is granted or denied. If granted, this Agreement shall be deemed modified accordingly without any further action by the parties.
2. **DELIVERABLES.** Recipient shall fully implement the Project, as described in the Statement of Work, Attachment A. Recipient is responsible for the professional quality, technical accuracy, and timely completion of the Project. Both workmanship and materials shall be of good quality. Unless otherwise specifically provided for herein, Recipient shall provide and pay for all materials, labor, and other facilities and equipment necessary to complete the Project. The Council's Project Manager shall make a final acceptance inspection of the Project when completed and finished in all respects. Upon satisfactory completion of the Project, the Council will provide Recipient a written statement indicating that the Project has been completed in accordance with this Agreement. Acceptance of the final payment by Recipient shall constitute a release in full of all claims against the Council arising from or by reason of this Agreement.
3. **OWNERSHIP OF DELIVERABLES.** Unless otherwise provided herein, the Council does not assert an ownership interest in any of the deliverables under this Agreement.
4. **AMOUNT OF FUNDING**
- (a) **Compensation.** For satisfactory completion of the Project, the Council shall pay Recipient approximately fifty percent (50%) of the total cost of the Project, but in no event shall the Council cost-share exceed \$85,000. The Council cost-share is not subject to modification based upon price escalation in implementing the Project during the term of this Agreement. Recipient shall be responsible for payment of all costs necessary to ensure completion of the Project. Recipient shall notify the Council's Project Manager in writing upon receipt of any additional external funding for the Project not disclosed prior to execution of this Agreement.
- (b) **In-Kind Services.** Recipient agrees to provide \$85,000 in the form of cash and/or in-kind services for the Project, as further described in the Statement of Work, which shall count toward Recipient's total cost-share obligation of \$85,000.
5. **PAYMENT OF INVOICES**
- (a) **Submission of Invoices.** Recipient shall submit one invoice upon successful completion of the Project by one of the following two methods: (1) by mail to the IRL Council, 1235 Main Street, Sebastian, Florida 32958, or (2) by e-mail to kolodny@irlcouncil.org. The invoice shall be submitted in detail sufficient for proper pre-audit and post-audit review. It shall include a copy of contractor and supplier invoices to Recipient and proof of payment. For all approved expenses incurred on or after October 1, 2022, Recipient shall be reimbursed for approximately fifty percent (50%) of approved costs or the not-to-exceed sum of \$85,000, whichever is less. The Council shall not withhold any retainage from this reimbursement. If necessary, for audit purposes, Recipient shall provide additional supporting information as required to document invoices.
- (b) **End of Council Fiscal Year Reporting.** The Council's fiscal year ends on September

30. Irrespective of the invoicing frequency, the Council is required to account for all encumbered funds at that time. When authorized under the Agreement, submittal of an invoice as of September 30 satisfies this requirement. The invoice shall be submitted no later than October 30. If the Agreement does not authorize submittal of an invoice as of September 30, Recipient shall submit, prior to October 30, a description of the additional work on the Project completed between the last invoice and September 30, and an estimate of the additional amount due as of September 30 for such Work. If there have been no prior invoices, Recipient shall submit a description of the work completed on the Project through September 30 and a statement estimating the dollar value of that work as of September 30.

- (c) **Final Invoice.** The final invoice must be submitted no later than 45 days after the Completion Date; provided, however, that when the Completion Date corresponds with the end of the Council's fiscal year (September 30), the final invoice must be submitted no later than 30 days after the Completion Date. **Final invoices that are submitted after the requisite date shall be subject to a penalty of 10 percent of the invoice. This penalty may be waived by the Council, in its sole judgment and discretion, upon a showing of special circumstances that prevent the timely submittal of the final invoice. Recipient must request approval for delayed submittal of the final invoice not later than ten (10) days prior to the due date and state the basis for the delay.**
- (d) **Invoice Requirements.** All invoices shall include the following information: (1) Council contract number; (2) Council encumbrance number; (3) Recipient's name and address (include remit address, if necessary); (4) Recipient's invoice number and date of invoice; (5) Council Project Manager; (6) Recipient's Project Manager; (7) supporting documentation as to cost and/or Project completion (as per the cost schedule and other requirements of the Statement of Work); (8) Progress Report (if required). Invoices that do not correspond with this paragraph shall be returned without action within twenty (20) business days of receipt, stating the basis for rejection. Payments shall be made within forty-five (45) days of receipt of an approved invoice.
- (e) **Travel expenses.** If the cost schedule for this Agreement includes a line item for travel expenses, travel expenses shall be drawn from the project budget and are not otherwise compensable. If travel expenses are not included in the cost schedule, they are a cost that is borne by Recipient.
- (f) **Payments withheld.** The Council may withhold or, on account of subsequently discovered evidence, nullify, in whole or in part, any payment to such an extent as may be necessary to protect the Council from loss as a result of: (1) defective work not remedied; (2) failure to maintain adequate progress in the Project; (3) any other material breach of this Agreement. Amounts withheld shall not be considered due and shall not be paid until the ground(s) for withholding payment have been remedied.
- (g) **Annual budgetary limitation.** For multi-fiscal year agreements, the Council must budget the amount of funds that will be expended during each fiscal year as accurately as

possible. The Statement of Work, Attachment A, includes the parties' current schedule for completion of the Work and projection of expenditures on a fiscal year basis (October 1 – September 30) ("Annual Spending Plan"). If Recipient anticipates that expenditures will exceed the budgeted amount during any fiscal year, Recipient shall promptly notify the Council's Project Manager and provide a proposed revised work schedule and Annual Spending Plan that provides for completion of the Work without increasing the Total Compensation. The last date for the Council to receive this request is August 1 of the then-current fiscal year. The Council may in its sole discretion prepare a Supplemental Instruction Form incorporating the revised work schedule and Annual Spending Plan during the then-current fiscal year or subsequent fiscal year(s).

6. **LIABILITY AND INSURANCE.** Each party is responsible for all personal injury and property damage attributable to the negligent acts or omissions of that party, its officers and employees. Nothing contained herein shall be construed or interpreted as denying to any party any remedy or defense available under the laws of the State of Florida, nor as a waiver of sovereign immunity of the State of Florida beyond the waiver provided for in Section 768.28, Fla. Stat., as amended. Each party shall acquire and maintain throughout the term of this Agreement such liability, workers' compensation, and automobile insurance as required by their current rules and regulations, which may include participation in a self-insurance program.
7. **FUNDING CONTINGENCY.** This Agreement is at all times contingent upon funding availability, which may include a single source or multiple sources, including, but not limited to: (1) revenues appropriated by the Council's Board of Directors; (2) annual appropriations by the Florida Legislature, or (3) appropriations from other agencies or funding sources. Agreements that extend for a period of more than one Fiscal Year are subject to annual appropriation of funds in the sole discretion and judgment of the Council's Board of Directors for each succeeding Fiscal Year. Should the Project not be funded, in whole or in part, in the current Fiscal Year or succeeding Fiscal Years, the Council shall so notify Recipient and this Agreement shall be deemed terminated for convenience five (5) days after receipt of such notice, or within such additional time as the Council may allow. For the purpose of this Agreement, "Fiscal Year" is defined as the period beginning on October 1 and ending on September 30.
8. **PROJECT MANAGEMENT**
 - (a) The Project Managers listed below shall be responsible for overall coordination and management of the Project. Either party may change its Project Manager upon three (3) business days prior written notice to the other party. Written notice of change of address shall be provided within five (5) business days. All notices shall be in writing to the Project Managers at the addresses below and shall be sent by one of the following methods: (1) hand delivery; (2) U.S. certified mail; (3) national overnight courier; (4) e-mail or, (5) fax. Notices via certified mail are deemed delivered upon receipt. Notices via overnight courier are deemed delivered one (1) business day after having been deposited with the courier. Notices via e-mail or fax are deemed delivered on the date transmitted and received.

COUNCIL

Daniel Kolodny, Project Manager
IRL Council
1235 Main Street
Sebastian, FL 32958
(772) 216-7148
E-mail: kolodny@irlcouncil.org

RECIPIENT

Timothy Voelker, P.E., Director, Utilities
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994
(772) 288-5332
E-mail: tvoelker@ci.stuart.fl.us

- (b) The Council's Project Manager shall have sole responsibility for transmitting instructions, receiving information, and communicating Council policies and decisions regarding all matters pertinent to performance of the Project. The Council's Project Manager may also issue a Council Supplemental Instruction (CSI) form, Attachment B, to authorize minor adjustments to the Work that are consistent with the purpose of the Work. Both parties must sign the CSI. A CSI may not be used to change the Total Compensation, quantity, quality, or the Completion Date of the Work, or to change or modify the Agreement.

9. **PROGRESS REPORTS AND PERFORMANCE MONITORING**

- (a) **Progress Reports.** Recipient shall provide to the Council Project update/status reports as provided in the Statement of Work. Reports will provide detail on progress of the Project and outline any potential issues affecting completion or the overall schedule. Reports may be submitted in any form agreed to by Council's Project Manager and Recipient, and may include emails, memos, and letters.
- (b) **Performance Monitoring.** For as long as the Project is operational, the Council shall have the right to inspect the operation of the Project during normal business hours upon reasonable prior notice. Recipient shall make available to the Council any data that is requested pertaining to performance of the Project.

10. **TERMINATION.** The IRL Council may terminate this Agreement without cause upon 10 days written notice. In such event Recipient shall be compensated for all Work performed in accordance with this Agreement to the effective date of termination. If Recipient materially fails to fulfill its obligations under this Agreement, including any specific milestones established herein, the Council shall provide Recipient written notice of the deficiency by forwarding a Notice to Cure, citing the specific nature of the breach. Recipient shall have thirty (30) days to cure the breach. If Recipient fails to cure the breach within the thirty (30) day period, the Council shall issue a Termination for Default Notice and this Agreement shall be terminated upon receipt of said notice. In such event, Recipient shall refund to the Council all funds provided to Recipient pursuant to this Agreement within thirty (30) days of such termination. The Council may also terminate this Agreement upon ten (10) days written notice in the event any of material misrepresentations in the Project Proposal.

ADDITIONAL PROVISIONS (Alphabetical)

11. **ASSIGNMENT.** Recipient shall not assign this Agreement, or any monies due hereunder, without the Council's prior written consent. Recipient is solely responsible for fulfilling all work elements in any contracts awarded by Recipient and payment of all monies due. No provision of this Agreement shall create a contractual relationship between the Council and any of Recipient's contractors or subcontractors.

12. **AUDIT; ACCESS TO RECORDS; REPAYMENT OF FUNDS**

- (a) **Maintenance of Records.** Recipient shall maintain its books and records such that receipt and expenditure of the funds provided hereunder are shown separately from other expenditures in a format that can be easily reviewed. Recipient shall keep the records of receipts and expenditures, copies of all reports submitted to the Council, and copies of all invoices and supporting documentation for at least five (5) years after expiration of this Agreement. In accordance with generally accepted governmental auditing standards, the Council shall have access to and the right

to examine any directly pertinent books and other records involving transactions related to this Agreement. In the event of an audit, Recipient shall maintain all required records until the audit is completed and all questions are resolved. Recipient will provide proper facilities for access to and inspection of all required records.

- (b) **Repayment of Funds.** Council funding shall be subject to repayment after expiration of this Agreement if, upon audit examination, the Council finds any of the following: (1) Recipient has spent funds for purposes other than as provided for herein; (2) Recipient has failed to perform a continuing obligation of this Agreement; (3) Recipient has received duplicate funds from the Council for the same purpose; and/or (4) Recipient has received more than one hundred percent (100%) contributions through cumulative public agency cost-share funding.
 - (c) **Florida Inspectors General.** It is the duty of every state officer, employee, agency, special district, board, commission, contractor, and subcontractor to cooperate with the inspector general in any investigation, audit, inspection, review, or hearing pursuant to this section.
- 13. **CIVIL RIGHTS.** Pursuant to Chapter 760, Fla. Stat., Recipient shall not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin, age, handicap, or marital status.
- 14. **COMMUNICATION AND ACKNOWLEDGEMENT OF FUNDING:** As a granting agency, the Council achieves its mission through partnerships with state agencies, local governments, community organizations, and others. The Council requires Recipient to acknowledge the Council when describing this project or program funded in whole or in part with Council funds in any of the following products: (1) press releases, speaking engagements, and other public statements; (2) publications and other documents; (3) websites; (4) visual presentations; (5) resource guides/toolkits; (6) bid solicitations and/or; (7) social media.
- 15. **DISPUTE RESOLUTION.** Recipient is under a duty to seek clarification and resolution of any issue, discrepancy, or dispute involving performance of this Agreement by submitting a written statement to the Council's Project Manager no later than ten (10) business days after the precipitating event. If not resolved by the Project Manager, the Project Manager shall forward the request to the Council's General Counsel, which shall issue a written decision within ten (10) business days of receipt. This determination shall constitute final action of the Council and shall then be subject to judicial review upon completion of the Project.
- 16. **DIVERSITY REPORTING.** The Council is committed to the opportunity for diversity in the performance of all cost-sharing agreements, and encourages Recipient to make a good faith effort to ensure that women and minority-owned business enterprises (W/MBE) are given the opportunity for maximum participation as contractors. The Council will assist Recipient by sharing information on W/MBEs. Recipient shall provide with each invoice a report describing: (1) the company names for all W/MBEs; (2) the type of minority, and (3) the amounts spent with each during the invoicing period. The report will also denote if there were no W/MBE expenditures.
- 17. **ENTIRETY OF CONTRACTUAL AGREEMENT; AMENDMENT.** The Council and the Recipient agree that this Agreement (including all exhibits, attachments, etc.) sets forth the entire contract between the parties, and that there are no promises or understandings other than those stated in these documents. None of the provisions, terms and conditions contained in this

Agreement may be added to, modified or otherwise altered, except by written instrument executed by the parties hereto.

18. **E-VERIFY.** Pursuant to Section 448.095(2), Florida Statutes, beginning on January 1, 2021, the Recipient shall:
- (a) Register with and use the E-Verify system to verify the work authorization status of all newly hired employees and require all subcontractors (providing services or receiving funding under this Agreement) to register with and use the E-Verify system to verify the work authorization status of all the subcontractors' newly hired employees;
 - (b) Secure an affidavit from all subcontractors (providing services or receiving funding under this Agreement) stating that the subcontractor does not employ, contract with, or subcontract with an unauthorized alien;
 - (c) Maintain copies of all subcontractor affidavits for the duration of this Agreement;
 - (d) Comply fully, and ensure all of its subcontractors comply fully, with Section 448.095, Florida Statutes;
 - (e) Be aware that a violation of Section 448.09, Florida Statutes (Unauthorized aliens; employment prohibited) shall be grounds for termination of this Agreement; and
 - (f) Be aware that if the Council terminates this Agreement under Section 448.095(2)(c), Florida Statutes, the Recipient may not be awarded a public contract for at least 1 year after the date on which the Agreement is terminated and will be liable for any additional costs incurred by the Recipient as a result of the termination of the Agreement.
19. **GOVERNING LAW, VENUE, ATTORNEY'S FEES, WAIVER OF RIGHT TO JURY TRIAL; REMEDY.** This Agreement shall be construed according to the laws of Florida and shall not be construed more strictly against one party than against the other because it may have been drafted by one of the parties. As used herein, "shall" is always mandatory. In the event of any legal proceedings arising from or related to this Agreement: (1) venue for any state or federal legal proceedings shall be in Indian River County; (2) each party shall bear its own attorney's fees, including appeals; (3) for civil proceedings, the parties hereby consent to trial by the court and **WAIVE THE RIGHT TO JURY TRIAL**; (4) no remedy herein conferred upon any party is intended to be exclusive of any other remedy, and each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or now or hereafter existing at law or in equity or by statute or otherwise. No single or partial exercise by any party of any right, power, or remedy hereunder shall preclude any other or further exercise thereof.
20. **INDEPENDENT ENTITIES.** The parties to this Agreement, their employees and agents, are independent entities and not employees or agents of each other. Nothing in this Agreement shall be interpreted to establish any relationship other than that of independent entities during and after the term of this Agreement. Recipient is not a contractor of the Council. The Council is providing cost-share funding as a cooperating governmental entity to assist Recipient in accomplishing the Project. Recipient is solely responsible for accomplishing the Project and directs the means and methods by which the Project is accomplished. Recipient is solely responsible for compliance with all labor, health insurance, and tax laws pertaining to Recipient, its officers, agents, and employees.
21. **INTEREST OF RECIPIENT.** Recipient certifies that no officer, agent, or employee of the Council has any material interest, as defined in Chapter 112, Fla. Stat., either directly or

indirectly, in the business of Recipient to be conducted hereby, and that no such person shall have any such interest at any time during the term of this Agreement.

22. **NON-LOBBYING.** Pursuant to Section 216.347, Fla. Stat., as amended, Recipient agrees that funds received from the Council under this Agreement shall not be used for the purpose of lobbying the Legislature or any other state agency.
23. **PERMITS.** Recipient shall comply with all applicable federal, state and local laws and regulations in implementing the Project and shall include this requirement in all subcontracts pertaining to the Project. Recipient shall obtain any and all governmental permits necessary to implement the Project. Any activity not properly permitted prior to implementation or completed without proper permits does not comply with this Agreement and shall not be approved for cost-share funding.
24. **PUBLIC ENTITY CRIME.** A person or affiliate who has been placed on the convicted vendor list following a conviction for a public entity crime may not submit a bid, proposal, or reply on a contract to provide any goods or services to a public entity; may not submit a bid, proposal, or reply on a contract with a public entity for the construction or repair of a public building or public work; may not submit bids, proposals, or replies on leases of real property to a public entity; may not be awarded or perform work as a contractor, supplier, subcontractor, or consultant under a contract with any public entity; and may not transact business with any public entity in excess of the threshold amount provided in Section 287.017, Florida Statutes, for CATEGORY TWO (\$35,000) for a period of 36 months following the date of being placed on the convicted vendor list.
25. **PUBLIC RECORDS.**
 - (a) Records of Recipient that are made or received in the course of performance of the Project may be public records that are subject to the requirements of chapter 119, Fla. Stat. If Recipient receives a public records request, Recipient shall promptly notify the Council's Project Manager. Each party reserves the right to cancel this Agreement for refusal by the other party to allow public access to all documents, papers, letters, or other material related hereto and subject to the provisions of chapter 119, Fla. Stat., as amended.
 - (b) **IF RECIPIENT HAS QUESTIONS REGARDING THE APPLICATION OF CHAPTER 119, FLORIDA STATUTES, TO THE RECIPIENTS'S DUTY TO PROVIDE PUBLIC RECORDS RELATING TO THIS CONTRACT, CONTACT THE COUNCIL'S CUSTODIAN OF PUBLIC RECORDS AT (772) 216-7148, KOLODNY@IRLCOUNCIL.ORG, 1235 MAIN STREET, SEBASTIAN, FLORIDA 32958.**
 - (c) Recipient shall keep and maintain public records required by the Council to perform the Project.
 - (d) Upon request from the Council's custodian of public records, Recipient shall provide the Council with a copy of the requested records or allow the records to be inspected or copied within a reasonable time at a cost that does not exceed the cost provided in chapter 119, Fla. Stat. or as otherwise provided by law.

- (e) Recipient shall ensure that public records that are exempt or confidential and exempt from public records disclosure requirements are not disclosed except as authorized by law for the duration of the contract term and following completion of the contract if the contractor does not transfer the records to the Council.
- (f) Upon completion of the contract, Recipient may transfer, at no cost, to the Council all public records in possession of the Recipient or keep and maintain public records required by the Council to perform the service. If the Recipient transfers all public records to the Council upon completion of the contract, the Recipient shall destroy any duplicate public records that are exempt or confidential and exempt from public records disclosure requirements. If the Recipient keeps and maintains public records upon completion of the contract, the Recipient shall meet all applicable requirements for retaining public records. All records stored electronically must be provided to the Council, upon request from the Council's custodian of public records, in a format that is compatible with the information technology systems of the Council.

26. ROYALTIES AND PATENTS. Recipient certifies that the Project does not, to the best of its information and belief, infringe on any patent rights. Recipient shall pay all royalties and patent and license fees necessary for performance of the Project and shall defend all suits or claims for infringement of any patent rights and save and hold the Council harmless from loss to the extent allowed by Florida law.

27. SEVERABILITY; SURVIVABILITY; WAIVER

- (a) If any term or provision of the Agreement, or the application thereof to any person or circumstances shall, to any extent, be held invalid or unenforceable, to remainder of the Agreement, or the application of such terms or provision, to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected, and every other term and provision of the Agreement shall be deemed valid and enforceable to the extent permitted by law.
- (b) Any provision of the Agreement which is of a continuing nature or imposes an obligation which extends beyond the term of the Agreement shall survive its expiration or earlier termination.
- (c) Failure of either party to enforce or exercise any right(s) under this Agreement shall not be deemed a waiver of either party's right to enforce or exercise said right(s) at any time thereafter.

IN WITNESS WHEREOF, the Parties have executed on the day and year written below. This Agreement may be executed in separate counterparts, which shall not affect its validity.

IRL COUNCIL

CITY OF STUART

By: _____
Duane E. De Freese, Ph.D., Executive Director

By: _____

Date: _____

Name, Title and Date

Approved as to form and legal sufficiency

Glen J. Torcivia, IRL Council General Counsel

Attest: _____

Name and Title

ATTACHMENTS

Attachment A – Statement of Work

Attachment B – Council Supplemental Instruction Form

Cost-share: Agency general
Last updated: 3-16-20

ATTACHMENT A – STATEMENT OF WORK

I. PROJECT TITLE:

SE Illinois Avenue Living Shoreline Project

II. INTRODUCTION/BACKGROUND:

The project is in the City of Stuart, Florida in the St. Lucie River drainage basin. With this project, a living shoreline will be installed to protect against erosion and to provide habitat for marine species and wading birds. The living shoreline plantings will also provide nutrient removal from the existing stormwater discharge entering the river at this location. A buffered shoreline will be constructed at the north end of SE Illinois Avenue to provide filtration for stormwater runoff from the northern portion of the SE Illinois Avenue right-of-way and adjacent properties. The project is important for the City of Stuart to continue progress towards resiliency and meeting BMAP requirements for the St. Lucie River.

III. PROJECT VALUE PROPOSITION STATEMENT:

A 6.6-acre area along Illinois Ave will be modified for habitat restoration. Although data on nutrient removal by Living Shorelines is scarce, it is estimated that 18.77 pounds per year of TN and 2.82 pounds per year of TP will be removed by this project. In addition, 442.23 pounds per year of TSS will be removed prior to discharge to the St. Lucie River.

IV. LOCATION OF PROJECT:

Located in Stuart, Florida within the St. Lucie River drainage basin. Latitude 27°11'57.79"N, Longitude 80°14'42.61"W.

V. SCOPE OF WORK (Outputs/Deliverables):

Outputs include:

- Construction and installation of a living shoreline and buffered shoreline to be a demonstration project, with varied plants, rock, and other materials, to identify what materials and plantings are successful in this location. The successful materials and plantings will then be utilized in future living shoreline projects along the St. Lucie River coastline.
- Removal of 18.77 pounds per year of TN and 2.82 pounds per year of TP from stormwater prior to discharge to the St. Lucie River (Source: Spreadsheet Tool for Estimating Pollutant Load, STEPL, 2007)
- Public Education about the benefits of the project through signage at the project location, website materials, and social media posts.

VI. PROJECT TASK IDENTIFICATION:

Task 1. Bidding. The City of Stuart will bid the permitted design drawings for the installation of the living shoreline. A contractor will be selected, and the City will execute a contract with the contractor. A copy of the bid documents, construction drawings, technical specifications, and the notice to proceed will be provided.

Task 2. Construction. The project proposes to construct a living shoreline with varied plants, rock, and other materials. All improvements will be constructed according to the approved construction drawings and technical specifications. As built drawings will be provided at the completion of construction.

- Task 3. Education. The City will post signage at the project site showing the project concept plan during construction. The City will also include a new project summary on the City's website and social media sharing the project benefits at the completion of the project.
- Task 4. Quarterly Reports. The City will submit quarterly reports updating the Indian River Lagoon Council on the progress for the project.
- Task 5. Final Report. The City will submit a final report at the completion of the project. The final report is intended to capture a brief summary of the project, financial summary of the actual grant and match expenditures, and include construction photos

VII. TIME FRAMES and DELIVERABLES:

Task 1: Bid Documents, Construction drawings and technical specs, notice to proceed letter

Due: February 1, 2023

Task 2: As-builts

Due: June 1, 2023

Task 3: Photo of project signage, copy of website literature and social media posts.

Due: July 31, 2023

Task 4: Quarterly Reports that include Council's Quarterly Report Summary Cover Page.

Due: January 31, 2023; April 30, 2023; July 31, 2023.

Task 5: Final Report that includes Council's Final Report Cover Page

Due: September 30, 2023.

VIII. BUDGET:

Task line Item	Deliverable	IRLNEP Funding Amount	Cost Share Funding Amount	Cost Share Funding Source (In-kind or Cash)
1	Bidding	\$0	\$0	
2	Construction of Improvements	\$85,000	\$85,000	City (Cash)
3	Education	\$0	\$0	
4	Quarterly Reports	\$0	\$0	
5	Final Report	\$0	\$0	
	Summary Cost	\$85,000	\$85,000	
	Project total cost	\$170,000		

ATTACHMENT B — COUNCIL’S SUPPLEMENTAL INSTRUCTIONS (sample)
COUNCIL SUPPLEMENTAL INSTRUCTIONS #

DATE:

TO:

FROM: _____, Project Manager

CONTRACT/PURCHASE ORDER NUMBER:

CONTRACT TITLE:

The Work shall be carried out in accordance with the following supplemental instruction issued in accordance with the Contract Documents without change in the Contract Sum or Contract Time. Prior to proceeding in accordance with these instructions, indicate your acceptance of these instructions for minor changes to the work as consistent with the Contract Documents and return to the Council’s Project Manager.

1. CONTRACTOR’S SUPPLEMENTAL INSTRUCTIONS:
2. DESCRIPTION OF WORK TO BE CHANGED:
3. DESCRIPTION OF SUPPLEMENTAL INSTRUCTION REQUIREMENTS: _____.

Contractor’s approval: (choose one of the items below):

Approved: _____ Date: _____

(It is agreed that these instructions shall not result in a change in the Total Compensation or the Completion Date.)

Approved: _____ Date: _____

(Contractor agrees to implement the Supplemental Instructions as requested, but reserves the right to seek a Change Order in accordance with the requirements of the Agreement.)

Approved: _____ Date: _____
_____, Council Project Manager

Acknowledged: _____ Date: _____
_____, Council Contracts Administrator

cc: Contract/Purchasing file

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 7/25/2022

Prepared by: David Dyess

Title of Item:

BUDGET AMENDMENT FOR WATER/SEWER PROJECT AND MEMORIAL PHASE 4 DESIGN (RC):

RESOLUTION No. 64-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING BUDGET ADMENDMENT NO. 15 TO THE 2021-2022 ENTERPRISE FUND AND GENERAL FUND; APPROPRIATING AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR DIXIE HIGHWAY FORCE MAIN PROJECT & MEMORIAL PARK PHASE 4 DESIGN PROJECT; PROVIDING AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

This is a budget amendment to fund two items from the American Rescue Plan Act funds. The first is a water/sewer/ storm water combined project on A1A at 5A Cutoff. Martin County and FDOT are currently engaged in a roadway project on A1A that will replace the stormwater culverts at 5A Cutoff. During the project it was discovered that city water and sewer lines intersect with the culvert and need to be relocated. As it turns out, the pipes are very old and should be replaced. This funding resolves the issues and enhances the water, sewer and storm water in that location.

The second item is for professional services for design work to complete Phase 4 of Memorial Park. This will be an enhancement to outdoor activity attractions for citizens.

Funding Source:

American Rescue Plan Act

Recommended Action:

Motion to approve.

ATTACHMENTS:

1. R64-2022 BA#15 ARPA Funding



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 64-2022

**A RESOLUTION OF THE CITY COMMISSION OF
THE CITY OF STUART, FLORIDA, AUTHORIZING
BUDGET ADMENDMENT NO. 15 TO THE 2021-2022
ENTERPRISE FUND AND GENERAL FUND;
APPROPRIATING AND AUTHORIZING THE
EXPENDITURE OF FUNDS FOR DIXIE HIGHWAY
FORCE MAIN PROJECT & MEMORIAL PARK
PHASE 4 DESIGN PROJECT; PROVIDING AN
EFFECTIVE DATE, AND FOR OTHER PURPOSES.**

* * * * *

WHEREAS, Section 9901 of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2, §9901) added section 603(a) to the Social Security Act ("ARPA"), which created the Coronavirus Local Fiscal Recovery Fund for the purpose of providing funds to local governments in order to facilitate the ongoing recovery from the COVID-19 pandemic; and

WHEREAS, the State of Florida, Division of Emergency Management has received funds to disburse from the U.S. Department of Treasury that have been earmarked for non-entitlement units of local government, which includes the City of Stuart, Florida; and

WHEREAS, the City is performing design and construction to relocate water and sewer lines along Dixie Hwy at 5A Cutoff which are currently hinders a storm water culvert; and

WHEREAS, the City has engaged Culpepper & Terpening for the design of Memorial Park Phase 4 to provide enhanced outdoor activities.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART,
FLORIDA, AS FOLLOWS:**

SECTION 1: The 2021-2022 Year Budget of the Enterprise Fund of the City of Stuart, Florida, being Resolution No. 32-2022 of the City Commission of the City of Stuart, Florida, as amended, hereinafter the "Budget," is hereby further amended, as follows:

From: ARPA (Rescue Plan) Funds	\$280,105.00
To: Parks, Professional Services (001-53100-220):	\$80,105.00
Water/Sewer, Infrastructure (410-56300-630):	\$200,000.00

SECTION 2: This resolution shall take effect on adoption.

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 25th day of July 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
City Commission**

Meeting Date: 7/25/2022

Prepared by: Ben Hogarth, Jim Chrulski

Title of Item:

SERVICE AGREEMENT WITH STUART MAIN STREET FOR 2023 FISCAL YEAR (RC):

RESOLUTION NO. 66-2022; A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT FOR STUART MAIN STREET BETWEEN THE CITY/CRA AND STUART MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC BENEFITS, REDEVELOPMENT, AND MAINTENANCE OF THE STUART MAIN STREET DISTRICT FOR THE 2023 FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The City of Stuart and Stuart Main Street, Inc. entered into a three-year service agreement in 2019 that sunsets this fiscal year (2022) with some language indicating that it could be extended to 2023. The attached agreement has only been modified to show the new one-year term (Section 3).

Funding Source:

110.582 Commission

Recommended Action:

Motion to approve Resolution No. 66-2022.

ATTACHMENTS:

1. R66-2022 Authorizing a Service Agreement with Stuart Main Street for 2023 FY
2. R66-2022 Service Agreement with Stuart Main Street for 2023 FY



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

RESOLUTION NUMBER 66-2022

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE A SERVICE AGREEMENT FOR STUART MAIN STREET BETWEEN THE CITY/CRA AND STUART MAIN STREET, INC., FOR THE PROMOTION OF ECONOMIC BENEFITS, REDEVELOPMENT, AND MAINTENANCE OF THE STUART MAIN STREET DISTRICT FOR THE 2023 FISCAL YEAR; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, Stuart Main Street envisions a vibrant, sustainable Historic Downtown Stuart which embraces the future while preserving the past. The Historic Downtown district is a center for community life in Stuart and the larger surrounding community and home to an active spirit of civic pride and entrepreneurship, public and private sector cooperation, and the community's historical and cultural heritage; and

WHEREAS, Stuart Main Street Association, Inc. (SMS) uses the Main Street Four Point Approach to create and promote a positive downtown experience for residents, businesses, and visitors; and

WHEREAS, Stuart Main Street works to build community consensus and use resources collaboratively with the intent to maintain a distinctive appearance in keeping with downtown Stuart's old Florida charm; and

WHEREAS, Stuart Main Street intends to market a positive image of the downtown Stuart district through advertising, public relations and digital media including retail and special events; and

WHEREAS, the City Commission, individually and acting as the Community Redevelopment Agency desires to enter a Service Agreement with Stuart Main Street through which the City will grant funds to Stuart Main Street for the promotion of the economic environment, retaining existing businesses and filling vacancies as well as marketing a positive image of the district through advertising, public relations and digital media; and

WHEREAS, the City Commission finds that the allocation of public funds to Stuart Main Street for the purposes that are stated in the agreement attached hereto as Exhibit “A” serves a clearly identifiable and concrete public purpose as the primary objective and has a reasonable expectation that such purpose will be substantially and effectively accomplished; and

WHEREAS, the City Commission further finds that the purposes described herein are consistent with the legal principles described in *O’Neill v. Burns*, 198 SO.2d 1 (Fla. 1967) and Florida Attorney General Opinion 75-221 (July 24, 1975);

NOW THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, THAT:

SECTION 1: The foregoing precatory language is adopted as if set forth below.

SECTION 2: The Mayor is hereby authorized to execute a service agreement with Stuart Main Street Association, Inc. granting \$70,000.00 from the City/CRA for public services rendered through Stuart Main Street general operations in accordance with the terms set forth in the agreement for the 2023 Fiscal Year.

SECTION 3: This Resolution shall take effect upon its adoption.

Resolution No. 66-2022
Service Agreement with Stuart Main Street for 2023 Fiscal Year

Commissioner _____ offered the foregoing resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED this ____ day of _____, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK

MERRITT MATHESON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

2023 FISCAL YEAR SERVICE AGREEMENT FOR STUART MAIN STREET

THIS AGREEMENT is made by and between the **CITY OF STUART, FLORIDA ("CITY")**, a Florida municipal corporation, the **COMMUNITY REDEVELOPMENT AGENCY ("AGENCY")**, and **STUART MAIN STREET ASSOCIATION, INC. ("SMS")**, a Florida non-profit corporation, for the purpose of promoting the economic, physical, and aesthetic redevelopment and maintenance of the Stuart Main Street district, in consideration of the terms and conditions described as follows.

1. **Recitals.** The recitals described above are incorporated herein by reference and are part of this Agreement.
2. **Public Purpose.** The allocation and expenditure of public funds herein provided are intended to serve clearly identifiable and concrete public purposes as the primary objective of this agreement, are allocated with a reasonable expectation that such public purposes will be substantially and effectively accomplished, and that the public funds provided herein are not to be used for the purpose of engaging in commercial enterprises for profit. The parties determine that the use of the public funds is intended to satisfy the "public purpose" principles established in *O'Neil v. Burns*, 198 So.2d 1 (Fla. 1967) and Florida Attorney General Opinion 75-221 (July 24, 1975)."
3. **Term.** This Agreement shall be effective beginning October 1, 2022 and upon execution by the undersigned parties and shall continue in effect through and including September 30, 2023. It is the intention of the parties that this agreement remain in effect through the 2023 Fiscal Year and sunset on September 30, 2023.
4. **Responsibilities of the Respective Parties.** **Stuart Main Street** shall be responsible for the following:
 - a. Provide the City an annual survey of all property owners and businesses that reside in the Main Street designated district. Including an inventory and data base repository of vacant properties in the Stuart Main Street District.
 - b. Provide a copy of the SMS budget to the City Manager.
 - c. Maintain "Main Street" State and National accreditation.
 - d. Advertising the Stuart Main Street District, its brand, businesses, events and opportunities via all traditional media avenues, as well as social media and internet sites;
 - e. Identify and apply for grants which support the historic downtown redevelopment district;
 - f. Act as a liaison between the City, Downtown businesses and residents;
 - g. Maintain an informational website, downtown social media and email contact lists.
 - h. Collecting and disseminating data, providing assistance to various **SMS** and **CITY/AGENCY** committees and workshop groups, and attending various meetings relative to such tasks.
5. **Promotional Activities.** SMS shall be responsible for the following promotional activities:

- a. Manage and coordinate Rock'n Riverwalk on Sundays from 1-4 including hiring talent, coordinating equipment, permitting and alcohol sales if applicable.
 - b. Manage and coordinate the Arts and Crafts show.
 - c. Manage and coordinate a tree lighting ceremony and family festival per the city agreement with the Visiting Nurses Association.
 - d. Manage and coordinate safe Halloween Trick or Treat alternative family event.
 - e. Provide the City with an annual report of promotional activities, including a schedule of activities.
- 6. **Economic Vitality** – SMS shall provide an annual “Economic Vitality Report” which shall include an update of the information available regarding the “Main street district” which includes:
 - a. Historic designations.
 - b. Total floor space within the district and its usage.
 - c. Property Tax analysis from year 2000 until the present.
 - d. Vacancy rates and Market Rental Rate for Retail, office and hotel. Additionally housing costs for residential housing in the district.
 - e. Number of current businesses with supporting data regarding closed and open business for prior years.
 - f. Maintain a downtown directory of businesses within the SMS district boundary.
- 7. **Downtown Design and Improvement.** SMS shall identify a minimum of one key downtown improvement project per contract year. It shall provide a summary of the project and identify the following:
 - a. How will the project enhance the quality of the urban fabric?
 - b. How will the project improve the streetscape of the downtown?
 - c. How does the project support the aims of the Community Redevelopment Plan?
 - d. Identify key elements of the project which reflect the character of the City of Stuart.
- 8. **Miscellaneous. SMS shall:**
 - a. Obtain and maintain at its sole expense, all applicable licenses, permits and certificates which are necessary to discharge **SMS's** duties under this Agreement.
 - b. Be solely responsible for paying all costs relative to the discharge of its duties under this Agreement, except as otherwise indicated herein.
 - c. Comply with all applicable federal, state, and local laws, rules, and regulations.
 - d. Submit to the City Manager or designee, a Semi-Annual report on April 15th and a year-end report on October 15th, in each year that this Agreement is in effect, which shall contain:
 - i. A financial report detailing revenues and expenditures for both the quarter and year to date, and a balance sheet detailing assets and liabilities as of the last day of the reporting period.
 - ii. A status report on the progress of each item described in *Responsibilities of the Respective Parties*.
 - iii. A membership report detailing the current membership of **SMS**.
- 9. For the services rendered above, the **CITY/AGENCY** shall pay to SMS, Seventy Thousand (\$70,000.00) dollars. Such payments shall be considered a fee for service and are not to be intended to create a Joint Venture or Partnership between the agencies.

Stuart Main Street is solely responsible to provide for its administrative duties required to maintain a Main Street presence including staffing an office and providing for operational costs.

10. **Board Appointment.** The City Manager shall be entitled to appoint one (1) member to the Board of Directors of Stuart Main Street.
11. **Termination of Agreement.** Either party may terminate this Agreement without cause upon giving the other party at least sixty (60) days prior written notice of the intention to terminate this Agreement.
12. **Relationship of Parties.** Neither the **CITY/AGENCY** (including any of its elected or appointed officers, employees, agents or other representatives) nor Stuart Main Street (including any of its directors, officers, employees, agents or other representatives) are the employee, agent, or other representative of the other party; and all activity performed by either party pursuant to and in furtherance of this Agreement, whether directly or indirectly related to this Agreement, shall constitute the separate and independent act of the respective party performing said act.
13. **Liability and Indemnification.** Stuart Main Street shall fully defend, indemnify, save, and hold the **CITY/AGENCY** (including its elected and appointed officers, employees, agents, and other representatives) harmless from and against all suits, action, claims, proceedings, demands, or liability of any nature whatsoever (including attorney's fees through and including all appeals), arising from injury, loss, or damage to any person or property, which is directly or indirectly caused by or results from any act or negligence of Stuart Main Street (including its directors, officers, employees, agents and other representatives).
14. **Relationship.** This agreement shall not construe any rights or obligations between or onto the parties that are not expressly authorized herein. This agreement shall not create an agency relationship. This agreement does not authorize Stuart Main Street to act on behalf of the City of Stuart or the Community Redevelopment Agency without express written authority. Stuart Main Street shall act solely as an independent contractor, and as such, shall control in all matters its mission, hiring practices, marketing or any other ventures undertaken. Nothing herein contained shall be construed to create the relationship of employer and employee between the City of Stuart and Stuart Main Street or any of its agents, members, employees or designees.
15. **Assignment.** Neither this Agreement nor any part thereof may be assigned to any other person or entity without the prior written consent of the City Commission.
16. **Sovereign Immunity.** The **CITY/AGENCY** expressly retains all rights, privileges, immunities, and benefits of sovereign immunity. This provision shall be construed broadly in favor of the **CITY/AGENCY**.
17. **Complete Agreement.** This Agreement constitutes the entire and complete agreement by and between the parties, and the promises and covenants herein contained shall survive the life of this Agreement.

18. **Amendments.** This Agreement may not be amended unless such changes are reduced to writing, which amendments must be approved by the City Commission, and signed by both parties.

IN WITNESS WHEREOF, on the date first written above, Stuart Main Street and the City/Agency have executed this Service Agreement by the duly authorized undersigned officers.

ATTEST:

STUART MAIN STREET ASSOCIATION, INC.

Joe Flannigan, President

ATTEST:

CITY OF STUART, FLORIDA

MARY R. KINDEL, CITY CLERK

MERRITT MATHESON, MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, CITY ATTORNEY

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

Local Planning Agency

Meeting Date: 7/25/2022

Prepared by: Erin Wohlitka

Title of Item:

SAILFISH CAY FUTURE LAND USE MAP AMENDMENT (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2486-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The applicant is requesting a Small-Scale Future Land Use Amendment from Commercial (C) to Multi-Family Residential (MF-RES) on 4.88 acres of land. The subject property is located at 751 SE Central Parkway. See attached staff report for additional information.

Funding Source:

N/A

Recommended Action:

On June 9th, 2022, the Local Planning Agency (LPA) unanimously recommended approval of the subject petition to the City Commission. Staff recommends approval of Ordinance No. 2486-2022.

ATTACHMENTS:

1. A.1 Ordinance 2486-2022
2. B. Staff Report - Ord 2486-2022
3. C. Future Land Use Amendment Application
4. D. Applicant's Project Narrative
5. D. MCSB School Capacity Determination
6. D. Service Capacity Letter - Fire-Rescue Department
7. D. Service Capacity Letter - Police Department
8. D. Service Capacity Letter - Utilities & Engineering
9. D. Ordinance 1174-89
10. D. Ordinance 1293-93
11. D. Ordinance 2106-07
12. D. Staff Review Comments 03.21.2022
13. E.1 Affidavit for letter to surrounding property owners - Executed



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2486-2022

* * * * *

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN THEREBY CHANGING THE FUTURE LAND USE DESIGNATION FROM "COMMERCIAL" TO "MULTI-FAMILY RESIDENTIAL" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY, SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the local government comprehensive planning and land development regulation act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan, that designated this future land use of this property as Multi-Family Residential (MF-RES); and

WHEREAS, on June 14, 1993, the City of Stuart City Commission adopted Ordinance 1293-93, approving a land use amendment from Multi-Family Residential (MF-RES) to Institutional (I) for the Abundant Life Ministries Church; and

WHEREAS, on May 14, 2007, the City of Stuart City Commission adopted Ordinance 2106-07, approving a land use amendment from Industrial (I) to Commercial (C) and a rezoning from Residential-3 (R-3) to Commercial Planned Unit Development (CPUD) to allow for a professional and medical office center; and

WHEREAS, on November 5, 2021, an application was submitted to the city for a Small-Scale Future Land Use Amendment from Commercial (C) to Multi-Family Residential (MF-RES); and

WHEREAS, the Local Planning Agency board held a property noticed hearing at a regularly scheduled meeting on June 9, 2022, to consider the applicant's request and unanimously recommended approval of the subject petition to the City Commission; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Johnston Group and 751 Central Parkway, LLC (applicant) representing Cypress Holding, LLC (property owner) for a 4.88-acre parcel of land; and

WHEREAS, the City of Stuart has determined the need to change the Future Land Use for said lands; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for land use designations, and has also considered the recommendation of City staff; and

WHEREAS, the City Commission has reviewed the criteria set forth in Florida Statute 153.3177 and has evaluated the data testimony, evidence, public comments and totality of the circumstances. The City Commission has determined which data is professionally acceptable and has reacted accordingly. Pursuant to the data available at the time, the Commission has found that the character of the land is appropriate for the subject request and that adequate public facilities exist to support the land use; and

WHEREAS, based on the evidence presented by the Applicant regarding the maximum build out of the existing and proposed Future Land Use designations, the Commission finds that the proposed use is an appropriate Future Land Use for the subject property; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan and with the procedural requirements of law; and

WHEREAS, the Applicant has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the Future Land Use Amendment; and

WHEREAS, the foregoing recitals are true and adopted as findings of fact and conclusions of law.

WHEREAS, the property is legally described in “**Exhibit A**” of this ordinance. A map depicting the property is attached hereto as **Exhibit “B”** and made a part hereof by reference;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The Future Land Use designation in the City's Comprehensive Land Use Plan shall be established as "Multi-Family Residential (MF-RES)".

SECTION 2: This ordinance becomes effective upon adoption.

SECTION 3: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the Developer of the site, this ordinance shall prevail.

SECTION 4: If any provision of this ordinance or the application thereof to any

person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 5: Following the adoption and acceptance of this ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the City Commission, the Property Owner may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this ordinance by the Property Owner shall be considered a violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 6: This ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 7: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this ordinance shall be void.

SECTION 8: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the 25th day of July 2022.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Commissioner _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this 8th day of August 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK MAYOR

MERRITT MATHESON

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS ASSOCIATED WITH THE SMALL-SCALE COMPREHENSIVE PLAN FUTURE LAND USE AMENDMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS SITE ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Print Name: _____

Print Name: _____

Cypress Holding, LLC

By: _____

Jeffrey H. Sands, Managing Member

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____ day
of _____, 2022, by Jeffrey H. Sands, Managing Member of Cypress Holding, LLC.

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2022 by Merritt Matheson, Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation, who ☐ are personally known to me or ☐ have produced _____ as identification.

(Notary Seal)

Signature of Notary Public

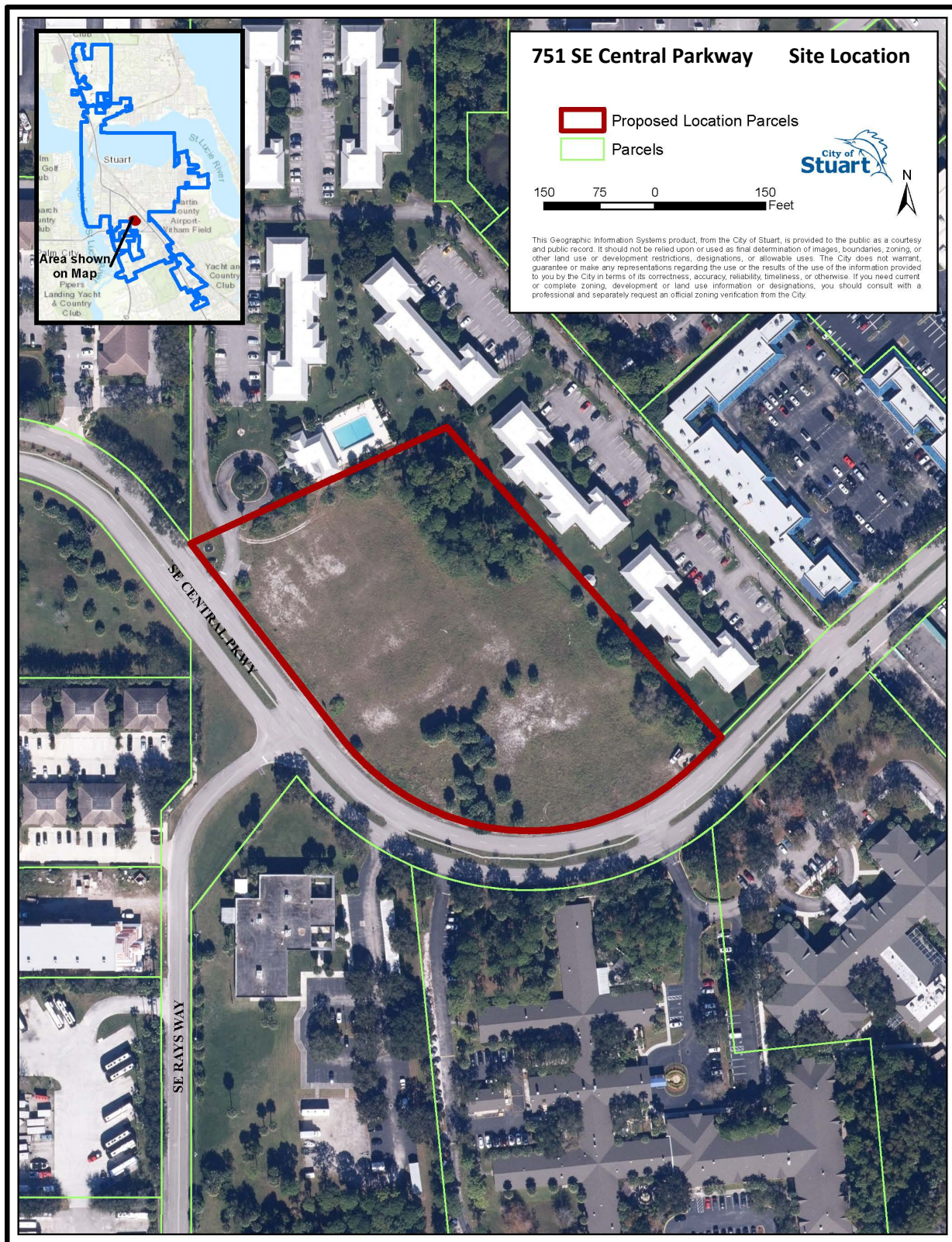
Printed Name: _____

EXHIBIT A – LEGAL DESCRIPTION

TOWNE PARK, ACCORDING TO THE PLAT THEIROF AS RECORDED IN
PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY
FLORIDA. CONTAINING 4.88 ACRES, MORE OR LESS.

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EXHIBIT B – LOCATION MAP





Ordinance 2486-2022 Staff Report

A. Application

Sailfish Cay Small-Scale Future Land Use Amendment Application Number: Z21110004

Applicant	751 SE Central, LLC
Property Owner	Cypress Holding, LLC
Agent for Applicant	Johnston Group Development and Design, Inc.
Project Manager	Erin Wohlitka, Senior Planner
Date of Report	April 12, 2022

B. Executive Summary and Background

Executive Summary

The intent of this application is to request a Small-Scale Future Land Use Amendment from Commercial (C) to Multi-Family Residential (MF-RES).

The project was heard by the Local Planning Agency on June 9, 2022, and the board unanimously recommended approval of the subject petition to the City Commission.

Staff recommends approval of Ordinance 2486-2022.

Background

The subject property was originally approved in the early 1980s as Phase VI of the multi-family residential Towne Park North Condominium project under R-3 zoning with a Future Land Use (FLU) of Multi-Family Residential. The connection of the site to the surrounding residential exists through remaining utility and drainage easements; however, this phase of the development was never constructed. In the mid-1980s, the property was developed as a church use by Abundant Ministries under the same R-3 zoning designation. In 1989, the City of Stuart adopted its first Comprehensive Plan and assigned a future land use category of Multi-Family Residential to the property.

On June 14, 1993, the City of Stuart City Commission adopted Ordinance 1293-93, approving a land use amendment from multi-family residential to institutional for the Abundant Life Ministries Church. The zoning on the subject property remained R-3. The Abundant Ministries church remained on site until the mid-2000s when it was demolished.

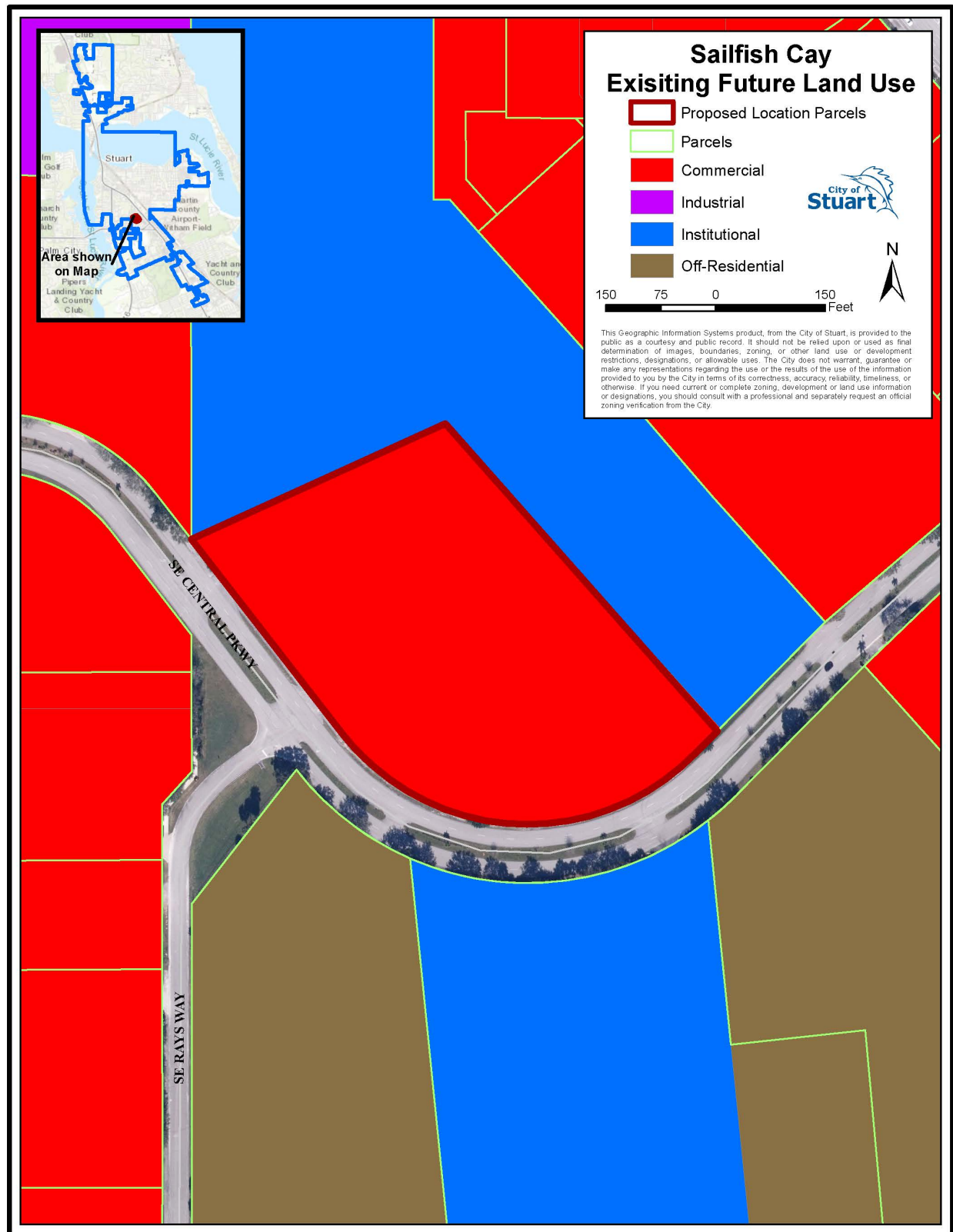
On May 14, 2007, the City of Stuart City Commission adopted Ordinance 2106-07, approving a land use amendment from Industrial to Commercial and a rezoning from R-3 to Commercial PUD (CPUD) to allow for a professional and medical office center. This project was never constructed. The site has remained vacant since the church was demolished.

C. Site Location and Information

Address	751 SE Central Parkway
Parcel Number(s)	09-38-41-011-000-00001-1
Existing Zoning	Commercial Planned Unit Development (CPUD)
Future Land Use	Commercial (C)
Site Area (acres)	4.88 Acres
Present Use	Vacant
Proposed Land Use Designation	Multi-Family Residential (MF-RES)
Proposed Zoning District	Residential PUD (RPUD)



Existing Future Land Use Map



B. Determination of compliance with Comprehensive Plan

The proposal complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Policy 1.A3.2. The City's Future Land Use Map and land development regulations shall direct development to areas where adequate utilities, services and schools exist or are planned in order to protect natural resources.

Staff Analysis: City Utilities & Engineering Department has drafted a letter stating that water and wastewater plant capacity exists to serve residential development on the subject site. City staff has received a school capacity determination that states, "...the School District has determined that sufficient school capacity exists to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180." Public transportation is available at the eastern terminus of SE Central Parkway's intersection with the US Highway-1 corridor (via the Treasure Coast Connector), and at the western terminus of SE Central Parkway at its' intersection with Kanner Highway (via Route 3).

Policy 1.A7.1. The City of Stuart has designated the following land use categories and allowed uses for all land within the City of Stuart: ...(B) Multi-Family Residential: One to three or more dwelling units per building. Includes single family detached, duplex, townhomes, patio homes, garden homes, apartments, condominiums, foster homes, group homes of four or fewer unrelated residents, and adult congregate living facilities (ACLF) of five or fewer unrelated residents. A limited amount of Commercial is allowed. Stealth communication towers are allowed. Also, public facilities, churches, day care centers, schools and electric distribution substations are allowed.

Staff Analysis: The applicant will comply with requirements to provide multi-family residential on the property subject to the adoption of the land use change.

Objective 1.B1. - Compact Urban Form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

Staff Analysis: This site has been previously cleared and utilized for prior development as a church. The subject property is located within two miles of downtown Stuart, thus providing a residential land use option close to the urban core of the City. Providing a residential land use in this proximity to downtown aids in the discouragement of urban sprawl and redeveloping a previously built site helps to achieve a compact urban form.

Policy 1.B3.2. All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

Staff Analysis: The subject property is surrounded on the north and west boundaries by the existing Towne Park Condominium project and the SE Central Parkway right-of-way to the south and east. Other uses along SE Central Parkway include office, multi-family residential and an assisted living facility. This is one of the last undeveloped sites on SE Central Parkway, which has existing multi-family residential projects on both sides of the roadway. Thus, the future land use is compatible with and complementary to the surrounding land uses.

Policy 1.B3.7. Open spaces are relatively undeveloped areas used to enhance natural resource conservation, recreation, or aesthetic functions of an urban environment. Open spaces may include preserved wetlands, landscaped stormwater facilities, landscaped areas, playgrounds, parks, and golf courses.

Staff Analysis: The proposed future land use is compatible with residential zoning districts that support undeveloped and enhanced open spaces within the City's Land Development Code. There are no wetlands on the subject property, however, the future development will require landscaped areas as a part of the development proposal.

C. Compliance with Florida Statute 163.3177

The City's Engineering, Environmental and Traffic Consultants have reviewed the submitted documents from the applicant and have determined them sufficient and compliant with the City's Comprehensive Plan.

City staff has analyzed the land use change and determined the availability of facilities and services for the change in land use.

The Applicant has submitted an environmental assessment that was reviewed by City staff and the City's environmental consultant determining that the land is suitable for residential development. City staff has analyzed the character of the site to determine its feasibility for residential development within this report. The FEMA Flood Zone for the subject property is X: Area of minimal flood hazard. The soil type, pursuant to the Florida Soil Survey Geographic Database (SSURGO) data, for the subject property is Waveland and Immokalee Fine Sands. This soil type is commonly found in the city.

City staff has reviewed the wellfield protection ordinance and has determined that a portion of the site is located within "Zone 2". Zone 2 prohibits, "any nonresidential activities...which store, handle, produce or use any regulated substance..." pursuant to Division 5. – Wellfield Protection of the Martin County Code of Ordinances. The proposed residential future land use will not trigger the provisions of this ordinance, and any future development of the site will be required to comply with the requirements set forth within the wellfield protection ordinance.

Per the Applicant's submitted documents, no historic or natural resources exist on the subject property.

Sprawl Analysis

F.S.163.	9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
YES/NO/NA	a. The primary indicators that a plan or plan amendment does not discourage the proliferation of urban sprawl are listed below. The evaluation of the presence of these indicators shall consist of an analysis of the plan or plan amendment within the context of features and characteristics unique to each locality in order to determine whether the plan or plan amendment:
NO	(I) Promotes, allows, or designates for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.
NO	(II) Promotes, allows, or designates significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.
NO	(III) Promotes, allows, or designates urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.
NO	(IV) Fails to adequately protect and conserve natural resources, such as wetlands, floodplains, native vegetation, environmentally sensitive areas, natural groundwater aquifer recharge areas, lakes, rivers, shorelines, beaches, bays, estuarine systems, and other significant natural systems.
NA	(V) Fails to adequately protect adjacent agricultural areas and activities, including silviculture, active agricultural and silvicultural activities, passive agricultural activities, and dormant, unique, and prime farmlands and soils.
NO	(VI) Fails to maximize use of existing public facilities and services.
NO	(VII) Fails to maximize use of future public facilities and services.
NO	(VIII) Allows for land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.
NO	(IX) Fails to provide a clear separation between rural and urban uses.
NO	(X) Discourages or inhibits infill development or the redevelopment of existing neighborhoods and communities.
NO	(XI) Fails to encourage a functional mix of uses.
NO	(XII) Results in poor accessibility among linked or related land uses.
NO	(XIII) Results in the loss of significant amounts of functional open space.

F.S.163.	9. The future land use element and any amendment to the future land use element shall discourage the proliferation of urban sprawl.
YES/NO/NA	b. The future land use element or plan amendment shall be determined to discourage the proliferation of urban sprawl if it incorporates a development pattern or urban form that achieves four or more of the following:
YES	(I) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.
YES	(II) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.
YES	(III) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and a multimodal transportation system, including pedestrian, bicycle, and transit, if available.
YES	(IV) Promotes conservation of water and energy.
N/A	(V) Preserves agricultural areas and activities, including silviculture, and dormant, unique, and prime farmlands and soils.
YES	(VI) Preserves open space and natural lands and provides for public open space and recreation needs.
NO	(VII) Creates a balance of land uses based upon demands of the residential population for the nonresidential needs of an area.
NO	(VIII) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.

E. Site Details and Service Capacity

Existing Site

The subject property was previously used as a church. All structures were demolished when the property was subject to a proposal for a professional office center that was never constructed. The site has since remained vacant but includes mature slash pine trees in the rear of the property as well as other sabal palm trees located in various areas on the site.

Environmental Assessment

The Applicant's environmental assessment was reviewed by the City's environmental consultant that has determined it is compliant with the City's Comprehensive Plan. The report states that there is no existing native upland habitat located onsite. The report also states that there are no state jurisdictional wetlands on site. During a site visit, the applicant's environmental consultant noted that though there was a potential for gopher tortoise habitat, no burrows were located at time of the visit. The applicant has stated that due to there being no native upland habitat,

wetlands, and/or other surface waters located on the site, and no connection to any adjoining significant native habitats, it is unlikely that any other listed animal species is located on site.

Traffic

The City's Traffic Consultant, Kimley Horn and Associates, Inc., has completed the review of the applicant's Long Range Traffic Analysis and confirmed that the proposed development is consistent with the City's Concurrency Requirements. According to the Long-Range Traffic Analysis, prepared by O'Rourke Engineering & Planning, the change in future land use from Commercial (C) to Multi-Family Residential (MF-RES) would result in a maximum development potential decrease of 11,151 daily trips (269 AM peak hour trips and 1,027 PM peak hour trips).

Maximum Buildout Analysis

Comprehensive Plan: Element 1, Table of Land Use Densities and Intensities

FLU		Residential			Non-Residential			
	<i>In/Out CRA</i>	<i>General</i>	<i>Not ALF</i>	<i>ALF</i>	<i>% Residential</i>	<i>General</i>	<i>>2.0 FAR</i>	<i>% Non- residential</i>
			<i>UPUD, RPUD, or Major UCE</i>					
Commercial (existing)	Out	<10 du/ac	<10	<30 du/ac	0-15%	<1.5 FAR		85-100%
Multi-Family Residential (proposed)	Out	<10 du/ac to 11.62 du/ac ⁹	<30 du/ac	<30 du/ac	70-100%	<0.5 FAR		0-30%

⁹

This designation is intended for parcels that are suited for single family attached and detached, duplex and multi-family development ranging in density from 10 for single family units to 11.62 for multi-family and duplex units.

Gross Site Area: 4.88 acres

Maximum Buildout for existing Commercial Future Land Use (FLU):

- 318,859.2 square feet for 100% non-residential ($4.88 \times 43,580 = 212,572.8 \times 1.5 \text{ FAR} = 318,859.2$)
- 271,030.32 square feet and 7 units for 85% nonresidential and 15% residential ($318,859.2 \times .85 = 271,030.32$ square feet) ($4.88 \times .15 = 0.732 \times 10 = 7.32$ dwelling units)

Maximum Buildout for proposed Multi-Family Residential Future Land Use (FLU):

- 146.4 dwelling units for 100% residential ($4.88 \times 30 = 146.4$ dwelling units)
- 102.48 dwelling units and 31,885.92 square feet for 70% residential and 30% non-residential ($4.88 \times .7 = 3.416 \times 30 = 102.48$ dwelling units) ($212,572.8 \times 0.5 \text{ FAR} = 106,286.4 \times .3 = 31,885.92$ square feet)

Level of Service Capacity Letters

On December 3, 2021, the Martin County School District issued a letter stating that sufficient school capacity exists to serve the change in residential dwelling units to meet the school concurrency requirements under Florida Statute 163.3180.

On April 7, 2022, the Utilities & Engineering Department issued a letter stating that the City of Stuart has water and wastewater plant capacity to serve residential development on the subject parcel.

On April 11, 2022, the Police Department issued a letter stating that the City of Stuart Police Department can serve residential development on the subject parcel and that development will not negatively affect the level of service the Stuart Police Department offers to the City of Stuart.

On April 12, 2022, the Fire Rescue Department stated that residential development can be served by the City of Stuart Fire Rescue Department without any negative impacts to levels of service at this time.

F. Staff Analysis

Staff has reviewed the subject petition for a Future Land Use amendment from Commercial (C) to Multi-Family Residential (MF-RES) for the subject property located at 751 SE Central Parkway.

This project site was originally planned as a part of the Towne Park residential community, which had a multi-family land use designation as a part of the City's first Comprehensive Plan established in 1989. The site has gone through many Future Land Use changes throughout the past 30+ years; however, it is important to note that this site was never developed with the exception of the Abundant Life Ministries church until its demolition in 2007. The site has been commercial land for the last 15 years and has remained vacant. Adjacent uses are largely multi-family residential. In addition, SE Central Parkway is considered a local residential roadway pursuant to the City's Roadway Functional Class and Evacuation Map within Element 2: Transportation Element of the City's Comprehensive Plan; thus, this future land use is appropriate for this subject property that fronts SE Central Parkway. There are no significant historical or natural resources on the site. A change from Commercial (C) to Multi-Family Residential (MF-RES) future land use would result in a large decrease in the number of vehicular trips on the City's roadway network. The City has available capacity in regard to the provision of public services to serve a residential development at this site that would not negatively impact levels of service. The change in Future Land Use from Commercial (C) to Multi-Family Residential (MF-RES) would decrease the amount of Commercial land in the City of Stuart from 913.9 acres to 909.02 acres and increase the amount of Multi-Family Residential land from 582.3 acres to 587.18 acres. City staff has reviewed the Applicant's request for a land use change and has determined it is compatible with, and complementary to, adjacent uses.

Staff recommends approval of Ordinance 2486-2022.



City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by:
Reviewed by:

Small-Scale Comprehensive Plan Amendment Application

Project ID# 221110004
(Staff Entry)

RECEIVED

Pre-App Conference Date: October 4, 2021	Application Date: NOV 18 2021
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SITE INFORMATION

DEVELOPMENT
RECEIVED

Project Name: Salfish Cay	Parcel ID#: 09-38-41-011-000-00001-1
Site Address: 751 SE Central Parkway, Stuart FL	
Subdivision: Towne Park	Lot(s): N/A
Site Acreage: 4.88	Flood Zone/Base Flood Elevation: X
Existing Zoning District / CRA Subdistrict (if applicable): CPUD	
Proposed Zoning District / CRA Subdistrict (if applicable): RPUD	
Current Comprehensive Plan Future Land Use Designation: COMM	
Proposed Comprehensive Plan Future Land Use Designation: Multi-Family Residential	
Existing Land Use: Vacant	Proposed Land Use: Townhomes
Proposed Square Footage (if applicable):	Proposed Density (if applicable): 12.5 du/acre

PETITIONER INFORMATION

Property Owner: Cypress Holding LLC	Phone Number / Email Address: (609) 921-6060 ext. 104/ gmaietta@hiltonrealtyco.com
Property Owner's Mailing Address: 902 CARNEGIE CENTER STE 400 PRINCETON NJ 08540	
Applicant (if not Owner): 751 SE Central, LLC	Phone Number / Email Address: (561) 691-4552 / ryan@johnstongroupinc.com
Applicant's Mailing Address: 224 Chimney Corner Lane, Suite 3032 Jupiter FL 33458	
Agent/Contact Person: Liz Levesque, AICP / Johnston Group Development and Design, Inc.	Phone Number / Email Address: (561) 691-4552 / liz@johnstongroupinc.com
Agent's Mailing Address: 224 Chimney Corner Lane, Suite 3032 Jupiter FL 33458	
Architect: Chandaj Limpabandh / PCL Design Inc.	Engineer: Rod Kennedy / EDC
Planner: Liz Levesque, AICP / Johnston Group Development and Design, Inc.	Landscape Architect: Jason Litterick / Litterick Landscape Architecture

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

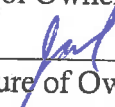
Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared Jeffrey H. Sands, Managing Member of Hilton Realty Co., L.L.C., the Sole Member of Cypress Holding, LLC;
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a townhome residential project in the City of Stuart, FL.
3. That he/she has appointed Johnston Group Development and Design, Inc. to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Cypress Holding, LLC, By: Hilton Realty Co., L.L.C, its Sole Member

Signature of Owner: 

902 Carnegie Center, Suite 400

Street Address

P.O. Box

609-921-6060 x-109

Telephone Number

jsands@hiltonrealtyco.com

Email Address:

Jeffrey H. Sands, Managing Member

By: Name/Title

Princeton, New Jersey 08540

City, State, Zip Code

City, State, Zip Code

609-924-1992

Fax Number

STATE OF FLORIDA, COUNTY OF MERCER

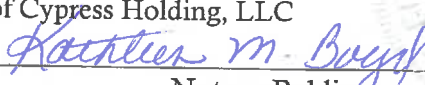
Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

25th day of October, 2021 By Jeffrey H. Sands, Managing

Member of Hilton Realty Co., L.L.C., the Sole Member of Cypress Holding, LLC

Personally Known OR Produced Identification

Type of Identification Produced:


Notary Public

Kathleen M. Boyd

NOTARY PUBLIC OF NEW JERSEY

My Commission expires:

Commission Expires

April 2, 2023

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Financial Responsibility Form

(Please Print or Type)

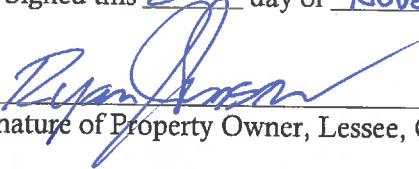
The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Ryan Johnston
Title: President
Company: 751 SE Central, LLC
Company Address: 224 Chimney Corner Lane, Suite 3032

City/State/Zip Code: Jupiter, FL 33458
Telephone Number: (561) 691-4552
Facsimile Number: (561) 691-4553
Email Address (optional): ryan@johnstongroupinc.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 2nd day of NOVEMBER, 2021.



Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Application Requirements

Fee: \$1,864.00 *(this does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees)*

➤ **Submittal Requirements:** A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a justification for the proposed change and any other information required by the City Development Director.

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Justification: Please explain the need and justification of the change and the relationship of the proposed change to the goals, objectives and policies of the City of Stuart Comprehensive Plan and Land Development Code *(include additional pages if needed)*.

(over)



751 SE Central Parkway Townhome Multi-Family Residential

Project Narrative

Request: Small Scale Comprehensive Plan Amendment

Address: 751 SE Central Parkway, Stuart FL

First Submittal Date: November 5, 2021

Second Submittal Date: January 7, 2022

Third Submittal Date: February 22, 2022

Fourth Submittal Date: March 25, 2022

Overview of Requests & Property Introduction:

On behalf of the applicant, 751 SE Central, LLC, Johnston Group Development and Design has prepared and respectfully submits this request for a small-scale comprehensive plan amendment from Commercial to Multi-Family Residential, in conjunction with the request for a multifamily townhome project on the currently vacant site at 751 SE Central Parkway.

The subject property, consisting of approximately 4.88 acres (Property Control 09-38-41-011-000-00001-1), is located on the north side of SE Central Parkway, northeast of the intersection of SE Central Parkway and SE Rays Way, approximately 0.15 miles southwest of SE Federal Highway/US 1.

The property was originally approved in the early 1980s as Phase VI of the multi-family residential Towne Park North Condominium project under R-3 zoning with a Future Land Use (FLU) of Multi-Family Residential. The connection of the site to the surrounding residential exists through remaining utility and drainage easements. This phase of the development was never built, and the property sat vacant for some years. The property was developed as a church use by Abundant Ministries in the mid-1980s under the same R-3 zoning designation. In 1989, the City of Stuart adopted its first Comprehensive Plan, and visualizing the original intent of the property as residential, assigned a land use of Multi-Family Residential to the property (See **Image I** below).

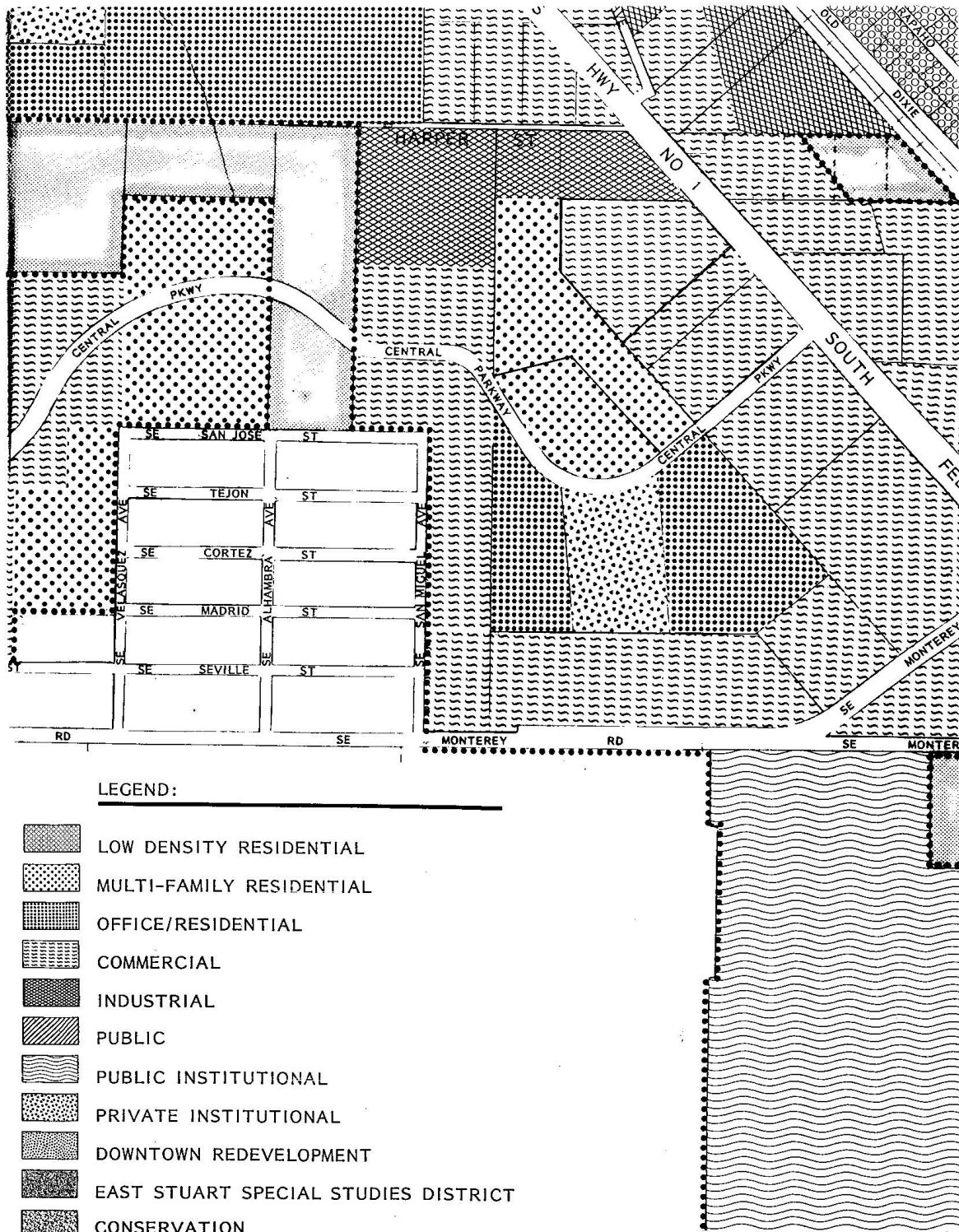
**DEVELOPMENT
ARCHITECTURE
CONSTRUCTION
REAL ESTATE**

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Orlando, FL 32801
407.777.4552

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AR91678 • CGC 045377

Image I
Property's Original 1989 Future Land Use



Source: City Staff Report Regarding Comprehensive Plan Amendment from Multi-Family to Institutional

In 1993, the property was subject to a Land Use Amendment from Multi-Family Residential to Institutional as the church use was rendered non-conforming with the assigned Multi-Family Residential land use. This Land Use change from multi-family residential was highly controversial with the adjacent Towne Park residents. The zoning remained as R-3.

The Abundant Ministries church remained on site until the mid-2000s when it was demolished. In 2007, a national recession hit, devastating the homebuilding industry with many homebuilding businesses failing. During this time of recession, the property was sought out for commercial development as residential was not a viable development option at that time. The site was rezoned to Commercial Planned Unit Development (CPUD) with a future land use change to Commercial (C). A master plan for a 7-building commercial office project was approved in conjunction with the rezoning and comprehensive land use change, but this project was never constructed. Since that time, no other entitlements have been granted on the property, leaving the property vacant for another 15 years.

The City has observed both commercial and residential development along Central Parkway over the past 40 years but the subject parcel has remained vacant throughout most of this time. The appropriateness of the site for multi-family residential use is apparent with the original approval as Phase VI, VII and VIII of the Towne Park condominium development and the initial designation of Multi-Family Residential land use in the 1989 Comprehensive Plan.

The current proposal includes a small-scale comprehensive plan Future Land Use amendment from Commercial back to the originally intended Multi-Family Residential (MF-RES) to allow for the 100% residential use as proposed. The site plan application includes 60 two-story townhomes, averaging 1,800 SF in size, all rear loaded with an interior drive. Details on the site plan and its benefits to the City and surrounding communities can be found within the project narrative for the rezoning and site plan review, submitted concurrently with this application.

Surrounding Uses:

The properties to the northeast and northwest are part of the original Towne Park North Condominium development; a project that initially included the subject parcel. To the south of the property, across SE Central Parkway, are a mix of residential and commercial uses including small professional office and an assisted living facility.

Community Meetings

The applicant had two meetings with the Towne Park Board, on November 17, 2021 and February 16, 2022, and an on-site meeting with the Board president on March 24th, 2022. Renderings, site and landscape plans were shown at the meetings and the Civil Engineer attended on February 16th at the request of the Board to answer questions regarding drainage and sanitary connections. The land use amendment has been a topic of discussion throughout the meetings.

Pre-Application Meetings

A series of pre-applications meetings were held between Johnston Group and City staff on May 15th, 2021, August 19th, 2021 and October 4th, 2021. The progression of the site plan was discussed throughout these meetings. The land use amendment has been open communicated throughout the course of the application process.

Future Land Use Amendment

Land Characteristics

The vacant land is mostly cleared, with minimal native vegetation (so minimal that it is not considered native vegetation in the Environmental Assessment) and no protected native species were found during the conducted species survey. The site is a well suited site for infill residential development.

Current Real Estate Market

The land use was amended from Commercial to Multi Family residential in 2007 during the economic crisis, when residential home builder companies were going out of business as the market for residential product decreased. Nationally, during this time, many residential properties transitioned to commercial uses as the market demanded. However, in this particular case, the commercial use never transpired, and the property has sat vacant.

The current market demands residential in an unprecedented way. National vacancy rates are less than 0.01%, with the demand for housing in this region far outweighing the supply. This property was originally intended to be residential as part of Towne Park, being on a slower, non-arterial roadway, better suited to withstand less intense residential use. The proposed future land use re-establishes the original land use and aligns with the City's original Comprehensive Plan.

Vehicular Traffic

With a proposal for future land use amendment, a long-range traffic analysis is required by the City. Per the Traffic Engineer, the submitted long range analysis indicates the massive decrease in traffic that would result from the conversion from commercial to residential future land use, when looking at the maximum build out scenarios. Comparing the 2007 commercial approval to the proposed multi-family use, the current proposal would have 334 less daily trips, a 42.7% decrease in daily trips from the commercial use. The traffic generated by residential is appropriate for this non-arterial roadway.

Compatibility with Surrounding Properties

The subject property was originally intended as multi-family residential, as made evident by the City's first Comprehensive Plan which gave the property a multi-family residential land use designation. The property was initially part of the Towne Park development and as such, the development has been designed with the intent to be compatible with the surrounding Towne Park development in terms of height and density, aligning with intention of the multi-family residential future land use.

Compliance Analysis

Comprehensive Plan Standards Compliance

Concurrency/Level of Service

The project complies with the Comprehensive plan standards, notably Policy A.A3.2 which directs development to areas where adequate utilities, services and schools exist. This site was initially

planned as part of the development of Towne Park North Condominium project. There are existing water lines for connection, as the previous church site was serviced. The property has a lift station on-site that services the adjacent communities and will service this development. As no large extension to utility services will be required, the property is able to maintain the Level of Service standards adopted under the Comprehensive Plan.

The project aligns with the Level of Service standards in Element VIII, Objective A3, Policy A3.1 to provide adequate public facilities and services as follows:

Facility	Level of Service Standard	Level of Service Provided
Sanitary Sewer Facilities	80 gallons per capita per day for residential	250 gallons per day per equivalent residential connection.
Solid Waste Facilities	3.5 pounds per capita per day (residential)	LOS met with individual bins for each residential unit as provided by City of Stuart.
Drainage Facilities	Retention of half of the runoff from a 25-year, 3-day duration storm event on parcels greater than 1 acre or 10-year 3-day duration storm event on parcels less than 1 acre	The stormwater management system for the site complies with Stuart LDC Chapter VI, Section 6.03 as well as South Florida Water Management Environmental Resource Permit Applicant's Handbook Volume II, which follows state standards Rule 40E-4.091(1)(a) and Rule 62-330.010, F.A.C.
Potable Water	250 gallons per day per equivalent residential connection	250 gallons per day per equivalent residential connection.
Recreation Facilities	3 acres of developed community park per 1,000 permanent and seasonal residents	A passive park is included within community for residents.
Transportation Facilities	LOS E at peak hour for arterials with exception in Policy A3.1	Level of service met, please see provided traffic statement.
Public Educational Facilities	<i>Public Educational Facilities.</i> The City, through its capital improvements	Level of service met, please see approved school concurrency form.

	element, shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service (LOS) standards. These standards shall be consistent with the Interlocal Agreement for School Facilities Planning and Siting agreed upon by the County, the School Board, and the City of Stuart. The City hereby adopts level of service standards as detailed within Policy A3.1.	
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Future Land Use Category/Maximum Build Out

The project was initially given a future land use category of multi-family residential when the City's first Comprehensive Plan was adopted in 1989. The existing Future Land Use (FLU) of Commercial was established in 2007 during a recession, when the site was rezoned to allow a commercial use, a development that was never built. Prior to that, the FLU was Institutional as part of a FLU amendment from multi-family residential to Institutional to make the church use conforming with the assigned land use. Before this Church use, the property had an approval for multi-family residential use. As the current FLU of Commercial only permits up to 15% of residential uses on the site per Policy 1.A 7.2 of the City's Comprehensive Plan, the proposed development requires a FLU amendment to allow for the original intended use of multi-family residential. The proposed FLU of multi-family residential is necessary to allow the 100% residential use as proposed with this development.

The Current FLU of Commercial permits up to 100% of Commercial Use FAR and up to 15% of residential use. As such, the site would be permitted up to 106,359.9 SF of commercial use and a density of 21 residential units. The applicant's proposal for multi-family residential FLU permits 30% of Commercial Use FAR and up to 100% of residential use at a maximum density of 30 dwelling units per acre (du/acre), which would permit up to 31,907.97 SF of commercial use and a maximum density of 146 residential units (30 du/acre). With this submittal, the applicant is proposing to re-establish the original intended use of multi-family, a use that is less intensive from a long range transportation analysis standpoint and is more compatible with the surrounding residential community. As detailed within the submitted Long Range Traffic Analysis, an amendment from Commercial to Multi-Family Residential results in a decrease in 11,151 daily trips based on maximum buildout of commercial compared to maximum build out of residential on the property. As the proposal for 60 units, at a density of 12.3 du/ac, is well under the maximum density as permitted by the City's Comprehensive Plan, the decrease in daily trips would be even greater. Although 30% of the site can be dedicated to commercial use, the applicant is not proposing any commercial use as part of this project.

Commercial to Residential Conversion

The proposed FLU amendment from commercial to multi-family residential complies with the intention of Objective 1.A5- *Residential Development* in that the proposed residential development shall provide housing opportunities for families who want to live in the City, including for individuals who work within the City limits. The residential use aligns with City of Stuart Policy 1.A5.5 by providing a community of housing for families. Not only does the proposal reestablish the original intention of the property, it also would transition the property from a use that could further increase the demand for housing within the city to that of a use which will provide housing opportunities in a demanding housing market. As a Commercial FLU predominantly permits commercial uses, any development within the Commercial FLU would potentially increase the number of commuters into the City which in turn increases traffic, as shown in the long range traffic analysis and comparing the traffic statement for the 2007 commercial approval to the submitted traffic statement for this project.

The amendment aligns with Objective 1.A5 which ensures land use compatibility, as the proposed residential development is situated adjacent to the Towne Park multi-family development, and as the project was initially planned as multi-family residential. Pedestrian sidewalks provide connectivity between the proposed development and these nearby commercial uses which encourages walking to other nearby amenities.

A FLU amendment to multi-family residential would allow the development to align with the intent of Policy 1.A5.1 to promote a more compact development pattern. By encouraging compact residential development, the proposal also aligns with Goal 2.A which discourages urban sprawl. As the site was initially planned for multi-family, this amendment restores the original intention of the property, a use that is compatible with the surrounding residential uses. The amendment as proposed would better align with the Goals of the Comprehensive Plan, proposing a less traffic intensive use while creating a family community within the city limits.

Urban Sprawl

Development on the subject parcel serves as an infill project, as the vacant site is surrounded by existing development. The site has been previously cleared for development, and was intended to be an extension of the Towne Park residential development that surrounds the northeast and northwest boundaries of the property. By facilitating infill development on this site, the applicant is meeting Objective 1.B1 of Element 1 of the City's Comprehensive Plan, which states that the City's goal is to "*Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.*" The inclusion of an eight-foot public sidewalk on Central Parkway along this infill development also meets the intent of Policy 2.A1.8 of the Comprehensive Plan of decreasing vehicular traffic by providing means for pedestrian connection to nearby amenities. The extension of the sidewalk along Towne Park property further enhances pedestrian connectivity.

Summary

The proposed development meets the standards of the Comprehensive Plan, meeting the minimum Level of Service (LOS) standards, and realigning with the original intention of the property to be multi-family residential. The project has been designed to be compatible with surrounding

properties and to be compatible with the City of Stuart in general. The proposed FLU amendment restores the initially proposed use of multi-family on the property, with the support of the adjacent Towne Park community.

On behalf of the property owners, Johnston Group Development and Design respectfully request favorable review and consideration of this application for a small scale comprehensive plan amendment for the property at 751 SE Central Parkway. Should you have any questions or require additional information, please do not hesitate to contact me at your convenience at (561) 691 4552.

Sincerely,

A handwritten signature in black ink, appearing to read 'EL' or 'ELZ', written in a cursive style.

Elizabeth S. Levesque, AICP
Development Manager

Martin County School District CIP

School Concurrency Determination

Project: Sailfish Cay Townhomes
Date Received: 12/3/2021
Project #: 09-38-41-011-000-0001-1
Owner/Applicant: Johnston Group Development & Construction
Location: 751 SE Central Pkwy., Just West of US 1 on North side of Pkwy. 4.88 ac.

Planned Project Units: 61 Townhomes

Project Unit Yield by Type of School

School Type	Rate	Students
Elementary:	.0997	6
Middle School:	.0510	3
High School:	.0709	4
SGR =	.2216	13

Service Area Analysis:

CSA ANALYSIS	A	B	C	D	E	F	G	H
<i>SCHOOLS</i>	LOS CAPACITY	3 YR. ADDED CAPACITY	TOTAL LOS CAPACITY (A+B)	OCT. 15TH DATE CERTAIN 2021	PROJECTS w/RESERVED CAPACITY	THIS PROJECT DEMAND	TOTAL DEMAND (D+E+F)	AVAILABLE LOS CAPACITY (C - G)
Elementary								
JD Parker Elem (Z)	703	0	703	566	50	6	622	81
Pinewood Elem	750	0	750	747	57	0	804	-54
Port Salerno Elem	750	0	750	749	40	0	789	-39
Totals	2203	0	2203	2062	147	6	2215	-12
<i>Adjacent South CSA</i>	<i>2301</i>	<i>0</i>	<i>2301</i>	<i>1432</i>	<i>81</i>	<i>6</i>	<i>1519</i>	<i>782</i>
Middle (South CSA)								
Anderson Middle	1294	0	1294	1044	74	3	1121	173
High								
Martin County (Z)	2107	0	2107	2327	32	4	2363	-256
<i>Adjacent North CSA</i>	<i>1914</i>	<i>0</i>	<i>1914</i>	<i>1428</i>	<i>172</i>	<i>4</i>	<i>1604</i>	<i>310</i>

Concurrency Availability: Pursuant to the City, County, School District Interlocal Agreement for School Planning and Siting, Section 6.2.7 and Article 5 of the Martin County Land Development Regulations, Division 5, Section 5.83, the School District has determined that sufficient school capacity exists to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180.

School Capacity: This analysis is only used to serve as a review of the potential impact of the schools within the area of a future residential land use. School capacity shall be reserved for the above referenced project upon receipt of a final ordinance approval by the City of Stuart Commission. This concurrency reservation shall expire **three (3)** years from the date of issuance.

Comments: This determination does not guarantee that the students from the above referenced project will be assigned to attend a particular school(s). Please note if capacity demand should exceed existing availability, students may be housed in relocatable units. **Letter of No Objection w/Conditions:** 'No Objection' with the following notations:

- Elementary School Student Capacity transfer from Stuart Zone to adjacent South CSA to accommodate LOS
- High School Student Capacity transfer from Stuart Zone to adjacent North CSA to accommodate LOS

School District Contact: Kimberly Everman, Capital Planner/Project Specialists

Date Issued: 12/3/2021

Telephone: 772- 219-1200, Ext.30220

email: evermak@martinschools.org



City of Stuart Fire Rescue

800 SE Martin Luther King Blvd, Stuart, FL 34994

Vincent Felicione, Fire Chief, CFEI, CVFI

vfelicione@ci.stuart.fl.us

772-600-1287

ISO CLASS 1 DEPARTMENT

April 12, 2022

Kevin Freeman
City of Stuart Development Director
121 SW Flagler Ave
Stuart, FL 34994

Re: Sailfish Cay, 751 SE Central Pkwy

Mr. Freeman,

The proposed development, Sailfish Cay at 751 SE Central Pkwy, can be served by the City of Stuart Fire Rescue Department without any negative impacts to levels of service at this time,

If you have any questions on this matter, please contact me,

Respectfully,

Troy Bowser
Operations Chief
City of Stuart Fire Rescue

cc: Vincent Felicione, Fire Chief, City of Stuart Fire Rescue



STUART POLICE DEPARTMENT

Joseph Tumminelli, Chief of Police
830 SE Martin L. King Blvd. Stuart, FL 34994
Telephone 772-287-1122 Fax 772-220-5986

We are S.P.D!

Selfless ♦ Proud ♦ Dedicated

April 11, 2022

Mark Landsman, Project Engineer
Engineering Design & Construction, Inc.
10250 Village Parkway, Suite 201
Port St. Lucie, FL 34987

Re: PCN #09-38-41-011-000-00001-1 Sailfish Cay

Dear Mr. Landsman,

In accordance with the submitted plans, please be advised that the Stuart Police Department can serve the proposed development within Parcel #09-38-41-011-000-00001-1 in Stuart, Florida. The development will not negatively affect the level of service the Stuart Police Department offers to the City of Stuart.

If you have any questions or need further assistance, please feel free to contact me by phone at (772)220-3923.

Sincerely,

A handwritten signature in black ink, appearing to read "Heather Rothe".

Heather Rothe
Captain
Support Services Division

cc: Kevin Freeman - City of Stuart Development
Chief Joseph Tumminelli – City of Stuart Police



City of Stuart

Timothy Voelker P.E. | Utilities & Engineering Director
121 SW Flagler Ave. Stuart Fl. 34994
Phone: 772.288-5332

April 7, 2022

Mark Landsman, Project Engineer
Engineering Design & Construction, Inc.
10250 Village Parkway, Suite 201
Port St. Lucie, FL 34987

Re: PCN #09-38-41-011-000-00001-1 Sailfish Cay

Dear Mr. Landsman,

In accordance with the submitted plans, please be advised that the City of Stuart has water and wastewater plant capacity to serve the proposed development within Parcel #09-38-41-011-000-00001-1 in Stuart, Florida.

This letter should not be construed as a commitment on behalf of the City to provide water and sewer service to the property until such time final design plans have been approved and all water and sewer availability fees have been paid.

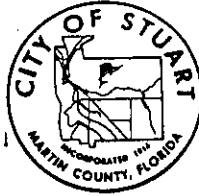
Should you have any questions or require any additional information please contact Marc Rogolino at 772-221-4700.

Sincerely,
City of Stuart

Timothy Voelker, P.E.
Utilities & Engineering Dept. Director

cc: K. Noguera, Customer Service Supervisor
M. Rogolino, Capital Projects





City of Stuart

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 1174

AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADOPTING A COMPREHENSIVE GROWTH MANAGEMENT PLAN AS MANDATED BY THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II, FLORIDA STATUTES; REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the procedures required by Section 163.3184, Florida Statutes, the City Clerk caused to be published in the Stuart News, a newspaper of general paid circulation in the county and of general interest in the community, pursuant to Chapter 50, Florida Statutes, a notice of change of land use in the form and manner required by Section 163.3184(15)(c), Florida Statutes. Notice of the first hearing was published on June 13, 1989 and notice of the second hearing was published on December 5, 1989; and

WHEREAS, in accordance with the said notices, the City Commission held advertised public hearings on the proposed ordinance in the Commission Room, City Hall, 121 S.W. Flagler Avenue, Stuart, Florida, on June 20, 1989 at 7:00 p.m., and on December 11, 1989, at 7:00 p.m., at which time interested parties and citizens had the opportunity to be heard; and

WHEREAS, immediately following the first public hearing the City Commission caused the transmittal of 10 copies of the complete proposed plan amendment to the State Land Planning Agency for written comments; and

WHEREAS, the State Land Planning Agency and all other agencies required by law have completed review of the proposed plan amendment, and have provided their written comments to the City Commission; and

WHEREAS, the City Commission has reviewed the written comments submitted to it by the State Land Planning Agency, and any other person, agency, or government and has considered such comments together with public comments presented at the public hearings.

NOW THEREFORE, BE IT ENACTED by the People of the City of Stuart, Florida as follows:

SECTION ONE:

The Comprehensive Plan for the City of Stuart, (City of Stuart Comprehensive Growth Management Plan) a copy of which is filed in the office of the City Clerk on the date this ordinance is passed, is hereby approved and adopted as the Comprehensive Plan to guide the future development and growth of the City of Stuart, Florida, as mandated by the Local Government Comprehensive Plan and Land Development Regulation Act. Chapter 163, Part II, Florida Statutes.

SECTION TWO:

In accordance with Section 163.3184(7), Florida Statutes, the City Clerk shall transmit five copies of the adopted Comprehensive Plan to the State of Florida Department of Community Affairs (State Land Planning Agency). The City Clerk shall also transmit a copy of the Comprehensive Plan to any other unit of local government or governmental agency in the State that has filed a written request with the City for a copy of such plan.

SECTION THREE: REPEALER

All ordinances or parts thereof in conflict with this ordinance be and hereby are repealed to the extent of such conflict.

SECTION FOUR: SEVERABILITY

If any section, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this ordinance, and it shall be construed to have been the intent of the City Commission to adopt this ordinance without such unconstitutional, invalid,

or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts had not been included herein. If this ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

SECTION FIVE: CODIFICATION

Provisions of this ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "section" "article" or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention.

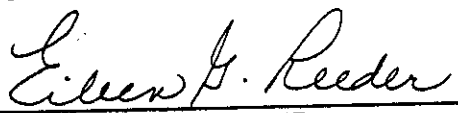
PART SIX: EFFECTIVE DATE

This ordinance shall be effective on the 10th day of January, 1990.

ADOPTED on the first reading at a duly called meeting of the City commission of the City of Stuart, Florida, held on the 5th day of December, 1989.

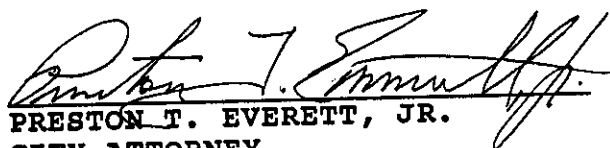
PASSED on second reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 11th day of December 1989.

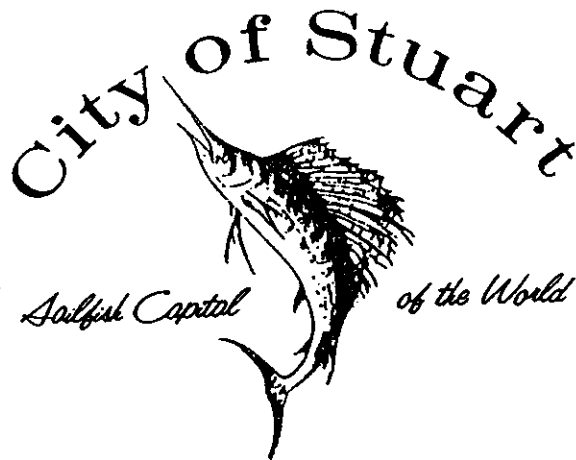
ATTEST:


EILEEN G. REEDER
CITY CLERK


JOAN JEFFERSON
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:


PRESTON T. EVERETT, JR.
CITY ATTORNEY



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 1293-93

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA PROVIDING FOR AN AMENDMENT TO ORDINANCE NO. 1174 OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS AMENDED, BEING THE COMPREHENSIVE PLAN OF THE CITY OF STUART, FLORIDA; PROVIDING A CHANGE IN LAND USE DESIGNATION FROM "MULTI-FAMILY RESIDENTIAL" TO "INSTITUTIONAL" IN THE FUTURE LAND USE ELEMENT AND ON THE FUTURE LAND USE MAP FOR A PORTION OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST ABUTTING THE NORTH SIDE OF "CENTRAL PARKWAY" IN THE CITY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of the City of Stuart, Florida has determined that the following ordinance is necessary for orderly growth and development, and to preserve and promote the public health, safety and welfare of the residents of the City of Stuart, Florida; and

WHEREAS, the City Commission of the City of Stuart, Florida has determined that all conditions precedent to the enactment of the following ordinance amending the official Comprehensive Plan of the City of Stuart, Florida, being Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, have been performed as required by law.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The real property which is described in "Exhibit A" attached hereto and made a part hereof by reference is owned by ABUNDANT LIFE MINISTRIES, ASSEMBLY OF GOD, STUART, FLORIDA, INC. The owner has made application to the City of Stuart for an amendment to the Comprehensive Plan of the City of Stuart, Florida, being Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, to change the land use designation from "Multi-Family Residential" to "Institutional" in the Future Land Use Element and on the Future Land Use Map.

SECTION 2: Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, being the Comprehensive Plan of the City of Stuart, Florida, is hereby amended to provide a land use designation change from "Multi-Family Residential" to "Institutional" for the real property which is described in "Exhibit A" attached hereto.

SECTION 3: All ordinances or parts of ordinances in conflict herewith being the same are hereby repealed to the extent of such conflict.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

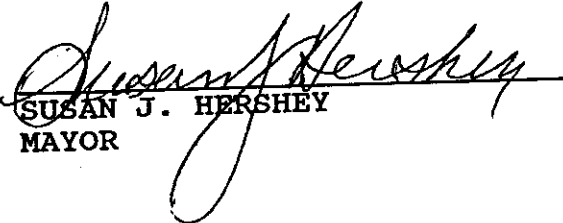
SECTION 5: This ordinance shall take effect immediately upon its adoption at second reading.

ADOPTED on the first reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 24th day of May, 1993.

PASSED on second reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 14th day of June, 1993.

ATTEST:


EILEEN G. REEDER
CITY CLERK


SUSAN J. HERSHEY
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:


CARL V. M. COFFIN
CITY ATTORNEY

First American Title Insurance Company

EXHIBIT "A"

PARCEL I:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North 00°30'18" East along the East line of said West quarter, a distance of 1558.80 feet; thence run South 37°27'42" East, a distance of 4.39 feet to the POINT OF BEGINNING; thence run North 65°00'00" East, a distance of 376.35 feet; thence run South 41°27'42" East, a distance of 147.76 feet; thence run South 52°32'18" West, a distance of 377.79 feet; thence run North 37°27'42" West, a distance of 228.61 feet to the POINT OF BEGINNING.

PARCEL II:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North 00°30'18" East along the East line of said West quarter, a distance of 1558.80 feet; thence run South 37°27'42" East, a distance of 233.00 feet to the POINT OF BEGINNING; thence run North 52°32'18" East, a distance of 377.79 feet; thence run South 41°27'42" East, a distance of 180.00 feet; thence run South 52°32'18" West, a distance of 380.47 feet to a Point of Curvature of a circular arc concave to the East having a center angle of 14°16'28" and a radius of 320.00 feet; subtended by a long chord bearing North 44°35'57" West; thence run along said arc a distance of 79.72 feet to a Point of Tangency; thence run North 37°27'42" West, a distance of 100.66 feet to a POINT OF BEGINNING.

PARCEL III:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North 00°30'18" East along the East line of said West quarter, a distance of 1558.80 feet; thence run South 37°27'42" East, a distance of 333.66 feet to a Point of Curvature of a circular arc concave to the Northeast having a central angle of 14°16'28" and a radius of 320.00 feet; thence run along said arc a distance of 79.72 feet to the POINT OF BEGINNING; thence run North 52°32'18" East, a distance of 380.47 feet; thence run South 41°27'42" East, a distance of 233.75 feet; thence run South 45°10'02" West, a distance of 44.75 feet; thence run South 48°32'18" West, a distance of 20.00 feet to the Point of Curvature of a circular arc concave to the Northeast having a central angle of 79°43'31" and a radius of 320.00 feet; thence run along said arc a distance of 445.27 feet to the POINT OF BEGINNING.



INSTR # 2044796
OR BK 02285 PG 0943
Pgs 0943 - 9557 (13pgs)
RECORDED 10/17/2007 03:17:16 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Burkey

Return to:

City Attorney's Office
City of Stuart
121 SW Flagler Street
Stuart, FL 34994

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2106-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), PROVIDING A LAND USE DESIGNATION OF "COMMERCIAL" ON THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN FOR A PROFESSIONAL AND MEDICAL OFFICE CENTER BEING GENERALLY A 4.88 ACRE PARCEL OF LAND ON THE NORTH SIDE OF SE CENTRAL PARKWAY; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING CONDITIONS FOR COMPLIANCE WITH SITE DESIGN QUALITATIVE DEVELOPMENT STANDARDS TO ESTABLISH THE "TOWN PARK PROFESSIONAL CENTER CPUD," A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD); DECLARING THE CPUD DEVELOPMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; APPROVING CERTAIN DEVELOPMENT DOCUMENTS; APPROVING CERTAIN CONDITIONS OF DEVELOPMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; AND PROVIDING FOR DIRECTIONS TO THE CITY CLERK.

* * * * *

WHEREAS, an application for the rezoning to a Commercial Planned Unit Development (CPUD) was properly filed on behalf of the owners, Town Park Professional Center LLC, a Florida limited liability company, (“Owner,” “Applicant,” or “Developer,” as variously used herein) by its representative, William J. Mathers P.E.; and

WHEREAS, the City is Authorized by law to provide a land use designation on the Future Land Use Map being a part of the Future Land Use Element of the City of Stuart Comprehensive Plan; and

WHEREAS, the Owner of the property, legally described as set forth in “Exhibit A”, has requested the approval of the City Commission to construct a professional and medical office center on the property; and

WHEREAS, at the hearing the Owner showed by substantial competent evidence that the application is consistent with the Comprehensive Plan, and Land Development Code of the City, and with the procedural requirements of law; and

WHEREAS, the City Commission has determined the application is consistent with the overall planning and development goals and objectives of the City; and

WHEREAS, the CPUD is consistent with the Stuart Comprehensive Plan and the development will be in harmony with surrounding properties and their anticipated development.

WHEREAS, the real property described in “Exhibit A” attached hereto and made part of by reference is hereby designated as “Commercial” on the Future Land Use Plan of the City of Stuart, Florida. This amendment to the Future Land Use Map is consistent with all other provisions of the City Comprehensive Plan and with the Florida Growth management Act.

WHEREAS, the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan of the City of Stuart, shall be amended to reflect this amendment. A map depicting the subject real property is attached hereto at "Exhibit B", and

WHEREAS, the Owner has committed to the City that its development will comply with all Development Documents, plans, standards and conditions approved by the City; and that it will bind its successors in title to any such commitments made upon approval of the CPUD; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application of the Owner for the Property to approve the "Town Park Professional Center" as a Commercial Planned Unit Development (the "CPUD").

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The foregoing recitals are true and adopted as findings of fact and conclusions of laws.

SECTION 2: A legal description of the Property is set forth in "**Exhibit A**" attached hereto and made a part hereof by reference. A map depicting the Property is attached hereto as "**Exhibit B**" and made a part hereof by reference.

SECTION 3: The Owner's written acceptance of this Ordinance shall constitute an agreement with the City for the purposes expressed herein, but the same shall not be construed as a "Development Agreement," as provided in Section 163.3221, Florida Statutes.

SECTION 4: The following documents, on file as public records of the City at the office of the City Development Department in City Hall, hereinafter the "Development Documents", shall be deemed a part of the development regulations applicable to the Property:

- A. "Master Development Plan" prepared by Mathers Engineering Revision dated 05/31/2007 (Job# 2065-01).
- B. "Landscape Plan" prepared by Landscape Architecture, Inc, Revision dated 11/18/2006.
- C. "Boundary Topographic and Tree Survey" prepared by Stephen J. Brown, 11/19/04 .
- D. "Building Elevations" prepared by Joseph A. Hamzy, Architect, dated 7/25/2006.

SECTION 5. The development of the Property shall be subject to the Conditions of Development set forth in "**Exhibit C**" attached hereto and made a part hereof by reference.

SECTION 6. Except as otherwise provided herein, no building permits, certificates of occupancy or other development orders or approvals shall be issued by the City except in compliance with the aforesaid Development Documents. The failure of the Developer to complete development, or to comply with the Development Documents, or with any term or condition of development set forth in this ordinance, shall be deemed a zoning violation and no further building permits, certificates of occupancy or other development approvals or orders shall be issued by the City until the violation has been resolved, and the matter may become the subject of a code enforcement action brought by the City. This section shall not impair the due process or other legal rights of the Developer to seek administrative or judicial redress.

SECTION 7: In addition to any other action for failure to complete development or to comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the

hearing before the City Commission the developer may appear, and may contest the allegation of breach or explain the reason or reasons for the breach.

In the event a material breach is found to have occurred, the City Commission may initiate the process to amend or repeal this ordinance. In the event a material breach is found to have occurred, the City Commission may also direct the City Development Director to initiate the process to rezone the PUD property or any portion of the PUD property.

Any breach of any provision or condition of this PUD ordinance by the developer shall be considered a zoning violation subject to any remedies provided therefore in this PUD ordinance, as well as any other remedies provided by law.

In the event a material breach of this ordinance, and acceptance and agreement, by the developer is found to have occurred, the City Commission may impose an administrative penalty. Upon a finding by the City Commission that any material condition of PUD approval has been breached, the City Commission may impose a penalty of up to \$1,000.00 for each violation, and each repeat violation that occurs, along with all reasonable costs, including attorneys fees incurred by the City. In the event the violation found is a continuing violation from day to day, each day the violation is found to continue may be deemed a separate violation.

SECTION 8: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 9: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the

provisions of this ordinance are declared severable.

SECTION 10: This ordinance and agreement shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution by the Owner.

SECTION 11: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

PASSED on first reading this 23 day of April, 2007.

Commissioner Waxler offered the foregoing ordinance and moved its adoption.

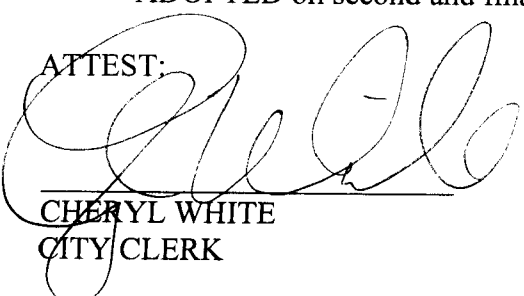
The motion was seconded by Commissioner Mortell and upon being put to a roll call vote, the vote was as follows:

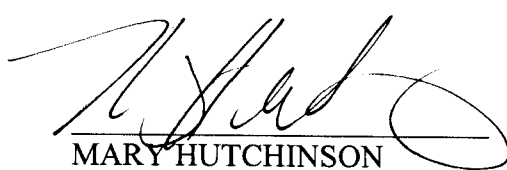
MARY HUTCHINSON, MAYOR
JEFFREY KRAUSKOPF, VICE-MAYOR
JIM CHRISTIE, COMMISSIONER
CAROL WAXLER, COMMISSIONER
MIKE MORTELL, COMMISSIONER

YES	NO	ABSENT
✓		
✓		
✓		
✓		
✓		

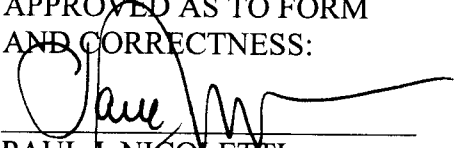
ADOPTED on second and final reading this 14 day of May, 2007.

ATTEST:


CHERYL WHITE
CITY CLERK


MARY HUTCHINSON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


PAUL J. NICOLETTI
CITY ATTORNEY



Oct. 21. 2005 9:52AM

EXHIBIT A

No. 5993 P. 2

INSTR # 1831208
OR BK 02003 PG 1828
RECORDED 04/18/2005 12:49:06 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 7,000.00
RECORDED BY T Copus (asst mgr)

Prepared by and return to:
Robert S. Kramer, Esq.
Kramer, Sopko & Levenstein, P.A.
853 SE Monterey Commons Boulevard
Stuart, FL 34996

File Number: 10134.01
Will Call No.: 80

Parcel Identification No. 09-38-41-011-000-00001-10000

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 6th day of April, 2005 between Abundant Life Ministries, Assembly of God, Stuart, Florida, Inc., a Florida nonprofit corporation whose post office address is 751 SE Central Parkway, Stuart, FL 34994 of the County of Martin, State of Florida, grantor*, and George T. Kelly, IV, a single man whose post office address is 521 SE Central Parkway, Stuart, Florida 34994 of the County of Martin, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

All of TOWNE PARK, according to the Plat thereof as recorded in Plat Book 11, Page 85, Public Records of Martin County, Florida.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: R.S. Kramer

Witness Name: Dawn E. Darter

Abundant Life Ministries, Assembly of God, Stuart, Florida,
Inc., a Florida nonprofit corporation

By: Jonathan McClain
Jonathan McClain, President/Pastor

(Corporate Seal)

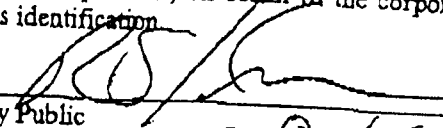
Oct. 27. 2005 9:52AM

OR BK NO. 5998 P. 3
62003 PG 1829

State of Florida
County of Martin

The foregoing instrument was acknowledged before me this 6th day of April, 2005 by Jonathan McClain of Abundant Life Ministries, Assembly of God, Stuart, Florida, Inc., a Florida nonprofit corporation, on behalf of the corporation. He/she ☒ is personally known to me or [] has produced a driver's license as identification.

[Notary Seal]


Notary Public

Printed Name: R. S. Kramer

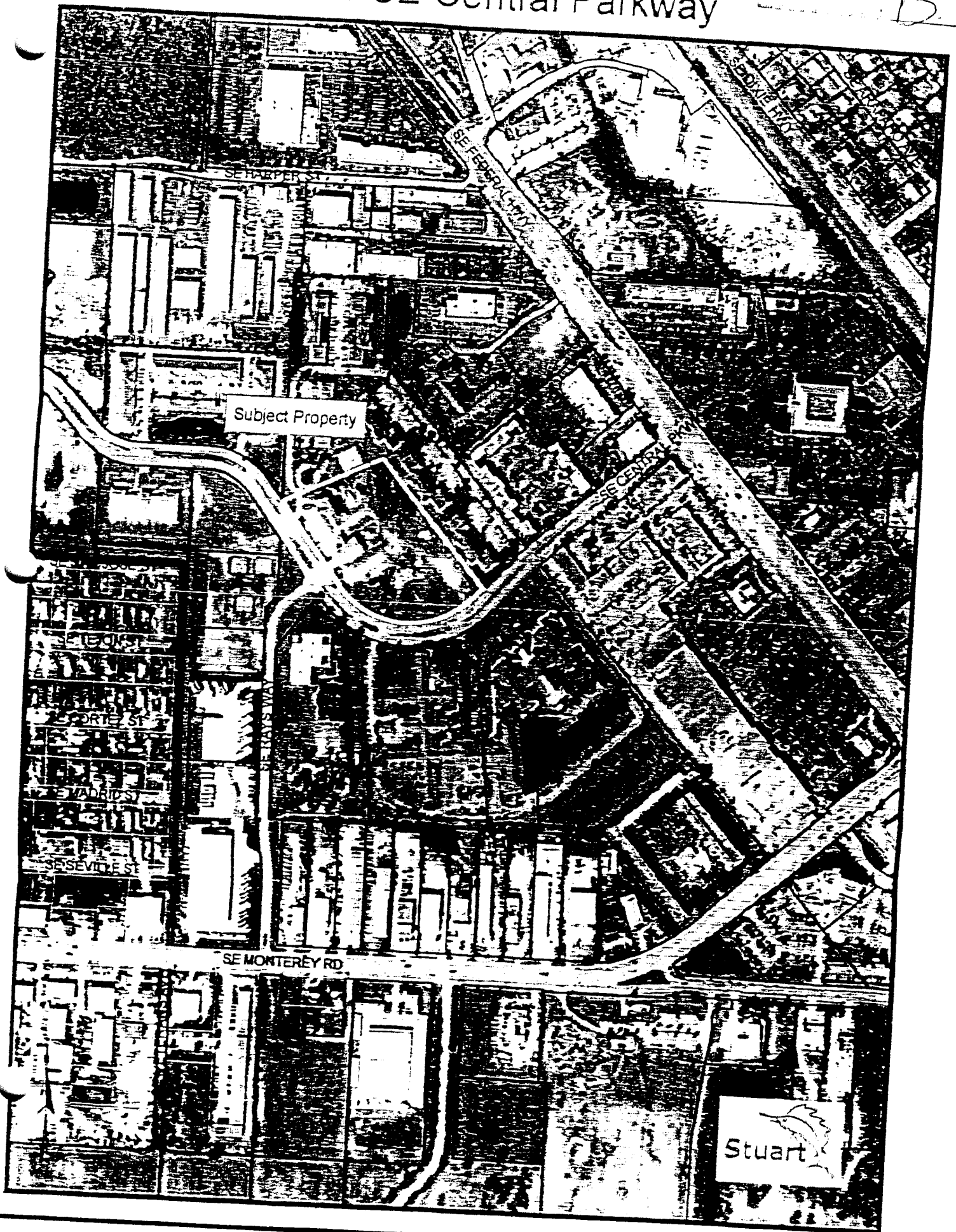
My Commission Expires: _____



Robert S. Kramer
My Commission DD158970
Expires November 13, 2006

751 SE Central Parkway

11-13



ORDINANCE #2106-07 'TOWNE PARK PROFESSIONAL CENTER' – EXHIBIT "C"

Approved Plans and Documents

1. The project shall comply with the Final Site Plan (Job# 2065-01) by Mathers Engineering Corporation, Dated 5/31/07.
2. The project shall comply with the Landscape Plan by Landscape Architecture, Inc., Last Revised 11/18/06.
3. The project shall comply with the Building Elevations by Joseph A Hamzy, Architect, Dated 7/25/06.
4. Any modifications to the CPUD Final Site Plan, due to final engineering, that exceeds 5% of the approved building footprint, building setbacks; density; building location; parking size, location and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.

Landscaping

5. All landscape areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
6. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The developer shall bear the pass-thru fee for landscape consulting fees not to exceed \$1,500.00.
7. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted prior to the issuance of a certificate of occupancy.
8. "Hat racking" of trees is prohibited on the property.

Prior to Issuance of Development Permit

9. The applicant agrees to contribute its fair share in the amount of \$20,000 or a sum determined through fair share apportionment whichever is the lower to a fund to provide a traffic signal at the intersection of SE Central Parkway and U.S. Highway 1 at the time of final site construction plan approval and prior to the release of any building permit.
10. Applicant shall provide a digital boundary survey and site plan prior to the issuance of a development permit.
11. A boundary plat shall be approved by the City Commission and shall be recorded in the public records at Martin County prior to the issuance of any development permits.
12. Final site plan construction drawings shall be reviewed and approved by all applicable City departments.

13. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers shall be obtained by the applicant and copies provided to the City prior to the issuance of a development permit.
14. Development shall comply with the City's Concurrency Management System prior to the issuance of development permits. A concurrency reservation certificate shall be binding upon the applicant meeting the following three standards:
 - Site Plan construction approval;
 - The issuance of building permits to commence construction; and
 - Pays all applicable impact and permit fees.

Development and Construction

15. In order to provide a buffer for the abutting residential property (Towne-Park Condominium), the applicant must install the 6' wood fence and/or masonry wall, as depicted within the aforementioned landscape plan prior to the construction of the first building.
16. Construction activity shall be limited from 7:00 am to 6:00 pm Monday – Saturday.
17. All mechanical equipment associated with the development shall be roof top or located behind the buildings. Equipment shall be equipped with decorative screening or landscaped with hedge material.
18. Backflow prevention devices and above ground utilities shall be delineated on the landscape plans during final site plan review and shall be out of view or screened from the public right-of-way.
19. The sidewalks along SE Central Parkway shall be constructed at a minimum width of six feet.
20. Erosion and dust control measures to be implemented during construction shall be provided on the civil engineering plans and submitted during final site plan review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

Development Timetable

21. Time table for development shall be as follows:

Site Permit Submission

Phase 1 – March 1, 2008

Phase 2 – November 1, 2009

Building Permit Submission

Phase 1 – October 1, 2008

Phase 2 – June 1, 2010

Certificate of Occupancy

Phase 1 – October 1, 2010
Phase 2 – June 1, 2012

22. In the event construction of the site and buildings are abandoned (a period of six months or longer) the City may rezone the property to another appropriate district or use.

Signage

23. The single location of signage is located at the eastern entrance consisting of one monument sign 4 feet in height 6 feet in width as depicted in the Sign Elevation Detail by Mather Engineering Corporation.

Prohibited

24. No temporary or modular buildings are permitted on the property.
25. Billboards are prohibited on the property.
26. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited.



Staff Review

A. Application

Sailfish Cay
Small Scale Future Land Use Amendment / Rezoning to RPUD
Application Number: Z21110003

Applicant	751 SE Central, LLC
Property Owner	Cypress Holding, LLC
Agent for Applicant	Johnston Group Development & Design
Project Manager	Erin Wohlitka, Senior Planner
Date of Report	March 21, 2022

B. Project Description

The intent of this application is to request a rezoning from a Commercial Planned Unit Development (CPUD) to a Residential Planned Unit Development (RPUD) and a Small-Scale Future Land Use Amendment from Commercial (C) to Multi-Family Residential (MF-RES) to allow the construction of 61 multifamily townhouse units on 4.88 acres of land located at 751 SE Central Boulevard.

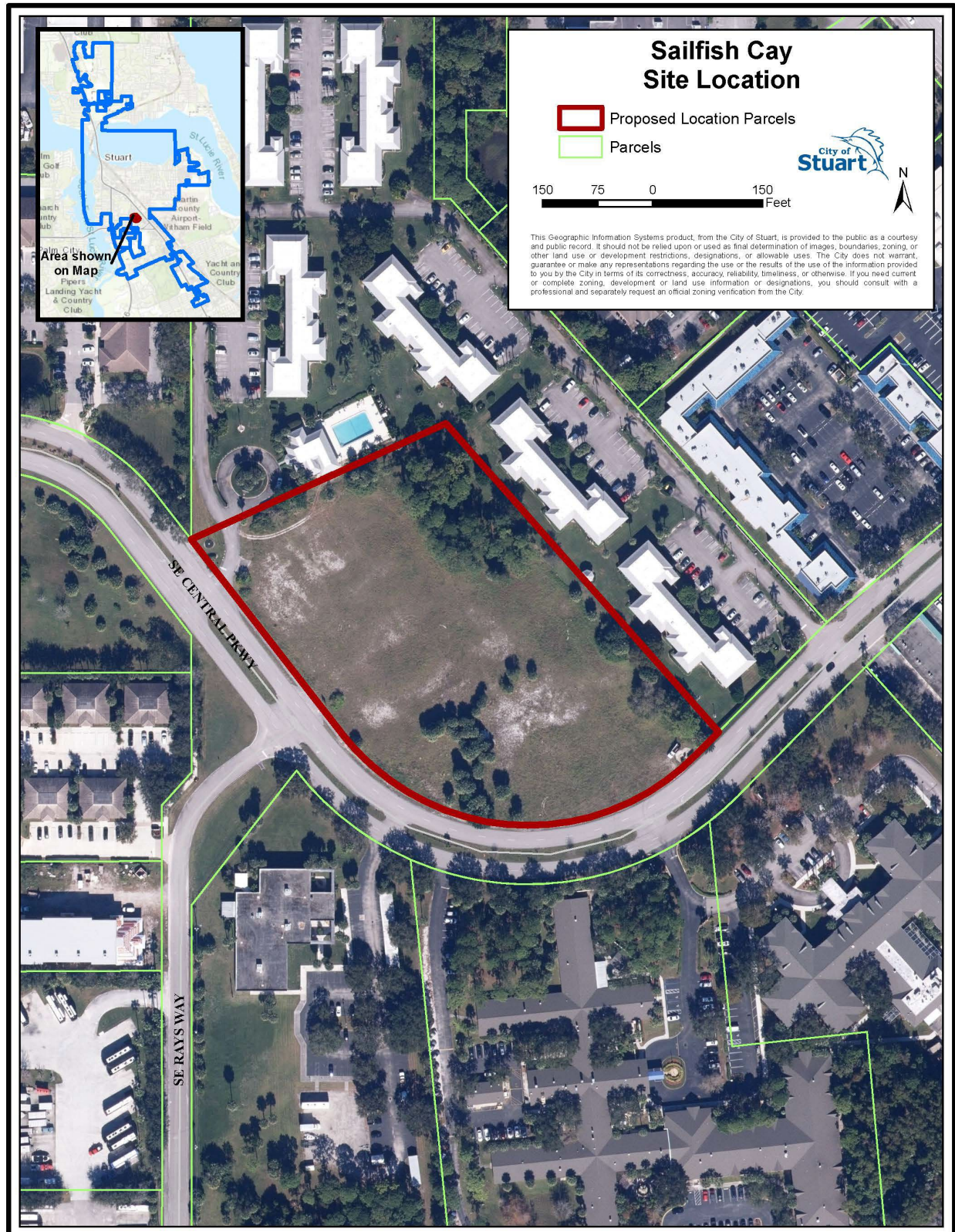
Address	751 SE Central Parkway
Parcel Number(s)	09-38-41-011-000-00001-1
Existing Zoning	Commercial Planned Unit Development (CPUD)
Future Land Use	Commercial (C)
Site Area (acres)	4.88 Acres
Present Use	Vacant
Proposed Land Use Designation	Multi-Family Residential (MF-RES)
Proposed Zoning District	Residential PUD (RPUD)
Proposed Use	Multi-Family Townhome Community

C. Location and Site Information

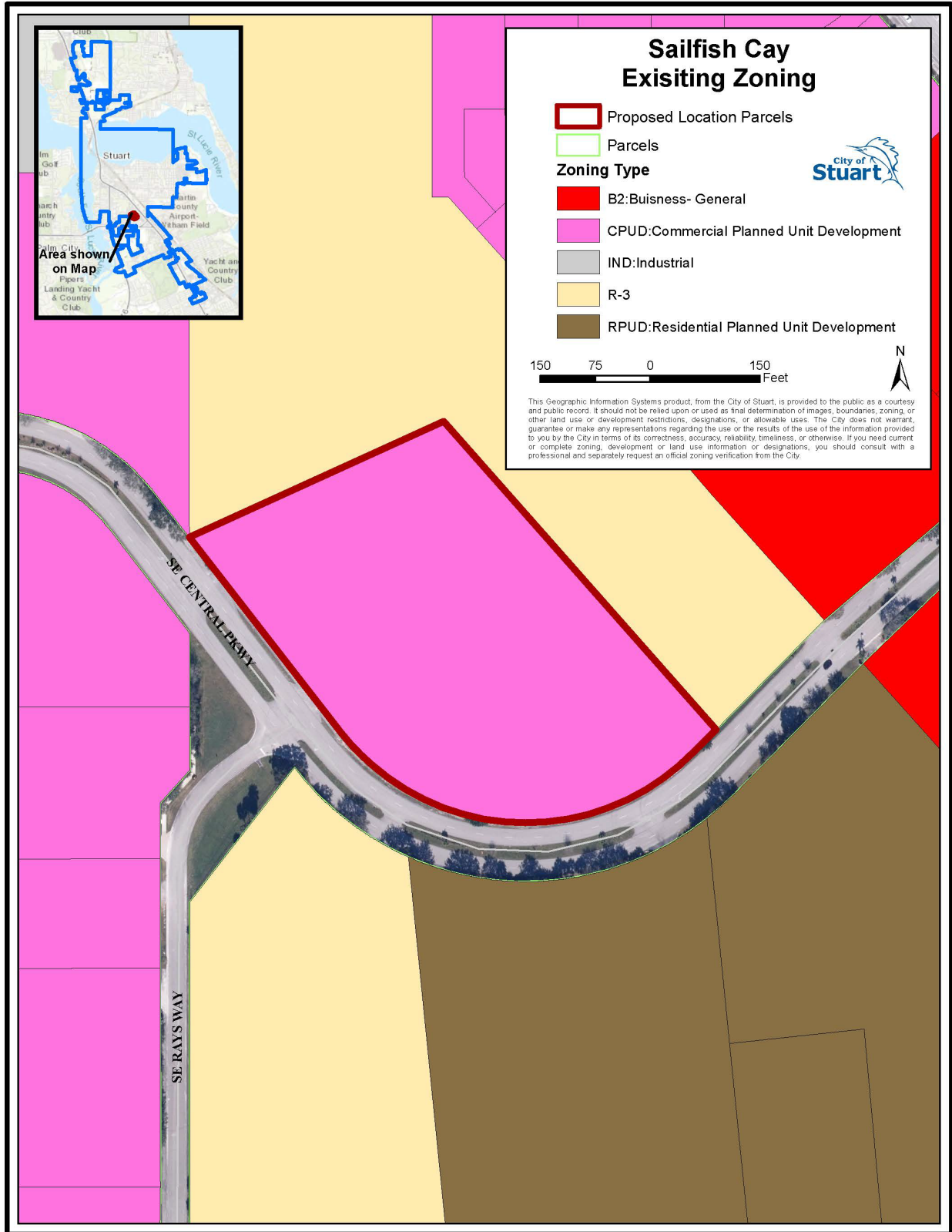
City Approvals	Building Department – Passed with Comments. Fire Department – Conceptually approved Public Works – Passed with Comments Traffic – Passed Environmental – Passed with Comments Zoning – Ongoing
Staff Recommendation (if final report)	N/A

Aerial Map

MAP

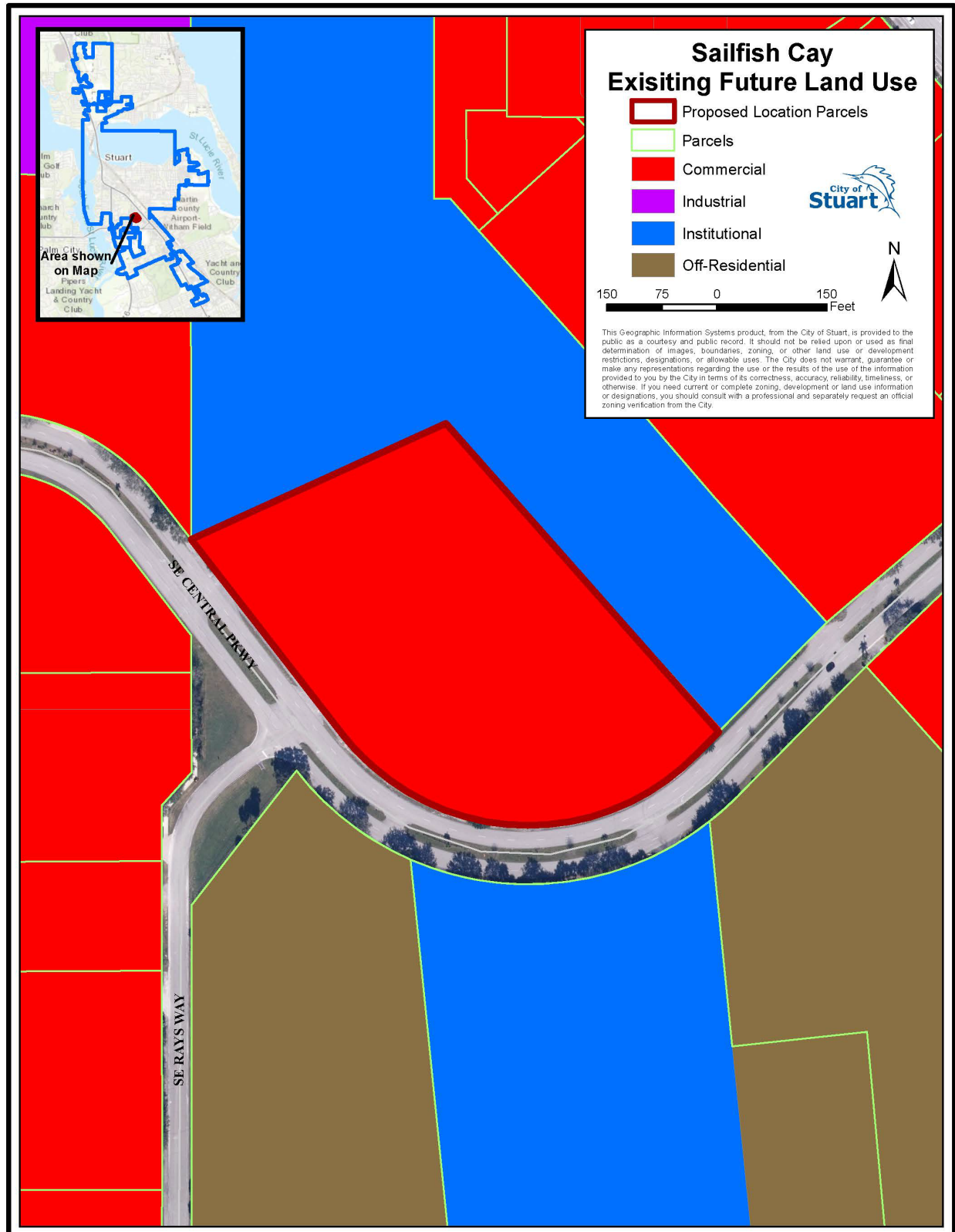


Existing Zoning MAP



Existing Future Land Use

MAP



D. Determination of compliance with Comprehensive Plan

Staff is awaiting a project narrative from the Applicant that proves compliance with the Comprehensive Plan has been achieved with this proposal.

E. Review Comments

Zoning and Site Design – Ongoing

1. Please include within the project narrative:
 - a) **SATISFIED.** The proposed Future Land Use change from Commercial to Multi Family Residential and compliance with specific applicable Comprehensive Plan policies, including job creation, urban sprawl, maximum build out, water/sewer availability, soils, FEMA Flood Plain, wetlands, and topography, condition, and sloping. Additionally, please address the loss of Commercial land to create additional Residential land.
 - b) **SATISFIED.** Address concurrency and levels of service outlined within Section 4.02.00 of the City's Land Development Code
 - c) **SATISFIED.** Address the current access to the Towne Park Condominiums on the subject property, whether it will continue to be maintained, who will maintain it, and whether it will be buffered and screened from the proposed project.
 - d) **SATISFIED.** Address how the Applicant has provided the required PUD Amenities from the PUD Amenity Guidelines.
 - e) **SATISFIED.** Please clarify what the existing lawn art is as noted on the landscape plan.
 - f) **ONGOING.** Please include variances from the R-3 code in the narrative (i.e., providing 5-foot-wide sidewalks instead of required 6-foot-wide sidewalks, front and rear setbacks, etc.)
 - i. **The Applicant has requested variances from code in regard to sidewalk width, maximum impervious surface coverage, and minimum front setback. See below:**
 - ii. Maximum Amount of Impervious Surface Coverage, Open Space, and Native Vegetation Areas: Section 2.07.00(D)(4)(b) states, "not less than 30 percent of the RPUD shall be open space as defined herein. Required open space may include native vegetation areas and landscape buffers between the site and adjacent property; however, other required landscaping shall not count towards the open space requirement." The Applicant appears to be including lake area in open space. Please revise the landscape data to be consistent with and in conformance with the city code in regard to the correct calculation of open space. Section 2.07.00(D)(4)(d) states, "excluding wetlands defined by the SFWMD, not less than 25 percent of the total development site shall remain as undeveloped native vegetation

area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property; however, other required landscaping such as parking area interior landscaping shall not count towards the native vegetation requirement. The location of the native vegetation area shall be determined using a study of the site with consideration to the value of existing vegetation.” The area of mature slash pines is the appropriate location for a native vegetation area per the requirements of City code. The applicant has an opportunity to provide a passive park underneath the mature slash pines that both Sailfish Cay and Towne Park residents may enjoy. This may be achieved creatively where the applicant might only lose a few units and create a duplex and a three-unit building for buildings 5 and 6, respectively. Staff’s concerns with the amount of impervious land are echoed in comment #s 8 and 13 of the comment letter issued to the Applicant on 12/20/2021. Additionally, it is staff’s position that the positioning of the back row of residential buildings, specifically where the slash pines exist, pinch the site and does not allow the site to meet the City’s code in regard to pervious/impervious area, a 20-foot lake maintenance easement around the entirety of the proposed lake, required open space and native vegetation areas. Please evaluate all possible scenarios to keep this area in its natural state. **City staff appreciates the applicant’s efforts to preserve the mature slash pine trees. Please provide on the site data the 30% open space requirement and provided open space percentage. The passive park and site buffers can be included within this area calculation. Please also provide the amount of native vegetation area (undeveloped landscape area – buffers, passive park, etc.)**

- iii. Minimum Sidewalk Width: The City requires a minimum of 8-foot-wide sidewalks per Section 6.01.04 of the City’s code. The Applicant has provided the minimum sidewalk width along Central Parkway and substandard sidewalks within the community. Staff does not support this request to vary from the code requirements as there is not sufficient justification provided for this waiver. **Staff appreciates the Applicant’s efforts to provide a passive park with walkways. Sidewalk design needs minor revisions to ensure connectivity to the park, off-site, and the pool/clubhouse area (i.e., connectivity from Building 8 and other street facing units to internal amenities, gate from Building 3 to pool area).**

- g) **SATISFIED.** Approximately half of the project site is located within a wellfield protection area. Please address in the narrative that the Applicant is meeting all requirements for development in this area.
- 2. **SATISFIED.** On Page 1 of the rezoning application, CPUD is checked where the Applicant is proposing to rezone to an RPUD. Please correct.

3. **SATISFIED.** Please advise if the on-street parking is to be considered a public amenity or to be utilized as guest parking only.
4. **SATISFIED.** Please advise if the ingress/egress easement is proposed to remain or if it will be relocated to avoid conflicts with the proposed hedge.
 - a) Please clarify the rectangle near the ingress egress easement that is not labeled on the site survey, site plan, or landscape plan.
5. **WITHDRAWN as the Applicant has stated the need for this parking area.** Please consider adding additional multi-level landscape screening between the entrance to Towne Park Condominiums and the guest parking/residential unit on the northwestern corner of the property.
 - a) Please remove the guest parking space adjacent to building 8 to allow for more landscape area.
6. **SATISFIED.** Please advise if the applicant intends to provide a sign easement for the Towne Park sign so that it can remain.
7. **SATISFIED.** Please dimension the guest parking spaces internal to the community on the site plan.
8. **See revised comment 1F.** Please consider the use of pervious pavers or pavement for the sidewalks and drive aisles to increase the percentage of pervious area on the subject property.
9. **PARTIALLY SATISFIED. Since the Applicant has the 20' LME in all areas where the pond has slopes, the retaining wall is sufficient in the proposed location. However, please provide an easement at the top of the wall for maintenance and label the width on the plan.** Please clarify why the 20' LME is not provided around the entire retention lake.
10. **SATISFIED.** Please clarify the material for the cross walks.
11. **PARTIALLY SATISFIED. The site triangle still appears limited looking southeast. The 10-foot setback from the ROW is maintained. Another option might be to bring the sidewalk and crosswalk closer to the edge of the travel lane so the stop bar can be moved forward.** Please clarify how the vehicles at the stop bar attempting to exit the community will not have their site blocked by the entry sign. It appears the sight triangle begins past the stop bar and might need to be relocated to begin at the stop bar.
12. Included on Landscape Plans. Please include proposed median landscape design as proposed within the cross-sections on the landscape plans.
13. **SATISFIED.** Please remove Building 6 (5 units) to preserve the large slash pine trees and create a passive park in this location as a PUD Amenity for the residents of Sailfish Cay.
14. **SATISFIED.** Please clarify on the monument sign rendering/plan how the entry sign will be lit.
15. **PARTIALLY SATISFIED. Please revise the ROW median plantings to at least show that the proposed trees are flowering trees and palm trees. Live oak trees do not satisfy the intent of this drawing and can be misleading as a presentation tool.** Prior to public hearing, provide a three-dimensional rendering of the main entrance showing the focal point, landscaping, and architecture.

16. Please include in the resubmittal a site details sheet including, but not limited to, the design, color, material of the following (if applicable): cabana, fencing, benches, wall sconces, and light poles.
17. **SATISFIED.** Per Section 6.04.06(5)(d), no parking spaces shall be located within the buffer. Please justify this variance from code with additional plantings in the southeast corner of the site.
18. **PARTIALLY SATISFIED. Please provide the calculation on the site plan site data table.** Please note, all RPUDs are required to have 25% native vegetation area, regardless if the site has previously been utilized for other purposes. Please depict on the landscape plans the minimum of 25% native vegetation area as defined within Sec. 2.07.00(4)(d) of the City's LDC.
19. **PARTIALLY SATISFIED. Please provide a detail of the lift station that includes all requested information, design specs of the fence and gate (and call out the location of the rolling gate on the engineering plan), and the hedge height, spacing, etc. at time of planting for staff review.** The lift station requires a 6-foot-tall fence, a berm or hedge to conceal the area. The existing lift station is currently screened from the right of way. Please provide screening from the right of way to continue screening from public view. Please depict, at a minimum, the required lift station screening per Sec. 6.02.01 of the City's LDC.
20. **SATISFIED.** Please consider pervious open joint pavers in this location to increase pervious percentages. Please include pavers at the entrance drive of the site to increase visual interest, with a different pattern of pavers proposed to delineate the pedestrian crossing in front of the entrance drive.
21. **SATISFIED.** Please propose lighting along the sidewalk adjacent to the Central Parkway right-of-way.
22. **SATISFIED.** Please revise the project narrative to include the information discussed in the comment response letter to expand on the statement given regarding attainable housing. The applicant states within the submitted justification statement that the FLU amendment will provide residences for those who work within the City of Stuart and would serve to alleviate some of the City's commuter congestion. Please provide an analysis that allows this project to provide attainable housing to the workforce in Martin County. Please include in the analysis that individuals or households at AMI level in Martin County can purchase unit(s) within this proposed development.
23. **ONGOING. Please show that the easement is "to be abandoned" on any applicable plans. Also, staff has not received a letter of support from the Towne Park Condominium Association. Please provide. A condition of approval will be drafted to abandon all such easements proposed to be abandoned prior to plat approval.** ORB 706 PG 839 references a perpetual and exclusive recreation easement for the benefit of the Town Parke Condominium Association and its successors and assigns to be used for recreational and park purposes only. The easement shall be covenants running with the land and shall benefit and burden the parties hereto (including all unit owners in Towne

Park North Condominium) and each of their successors and assigns. Furthermore, the recorded easement document states that the developer of Towne Park is able to use this area to compute unit density for the Town Parke Condominium project. Please address how the Applicant intends to provide recreational and park benefits to the Sailfish Cay and Towne Park residents in this area and clarify that the" this area has not been utilized in the past for unit density for Towne Park as the Applicant is utilizing the gross area of the project site to calculate density. in terms of utilizing the area for unit density. Finally, please provide a letter from the Towne Park Condominium Association stating they have no objection to the Applicant's proposal.

24. **Please provide a sidewalk from building 8 to internal sidewalks.**
25. **Please provide grasses/groundcover in addition to trees and sod in the ROW medians.**
26. **Please ensure that the sewer line under trees in buffer and behind buildings 6 & 7 will not conflict with proposed landscaping.**
27. **Please cure the condition of the new 6-foot-wide sidewalk conflict with the fire hydrant in between buildings 11 and 12 (updated plan sent by email last week)**
28. **Please provide additional grasses and groundcover at the entry median near the monument sign.**
29. **Please remove all references to gated gentry on applicable plans (i.e. sign plan).**
30. **Please add a larger variety of plantings in the bioswale areas (especially those visible from the project entrance).**
31. **Please note, a condition of approval will be drafted requiring the Applicant and its successors or assigns to construct and maintain in perpetuity all proposed right-of-way improvements in accordance with the approved plans.**

Architecture - Passed

32. **The Applicant has stated that in their experience, varying paint colors do not provide an amenity but are rather detrimental to the sale of the units; as such, Staff has withdrawn this comment.** Please provide different color palettes for the buildings to increase a sense of place and variation from building to building. Staff appreciates the attention to detail regarding architecture proposed along the building frontages. Please evaluate opportunities to provide different textures, colors, and materials along the side and rear elevations of the townhouse units.
33. **SATISFIED.** A rendering was provided of the rear of the cabana building. Four sided elevations are required. Please provide architectural elevations of the cabana building.

Engineering – Drainage/Stormwater – Failed

34. **SATISFIED.** A brief written description of the location and purpose of the project, the existing conditions of the site, the existing conditions surrounding the site, and the proposed improvements.
35. **SATISFIED.** A detailed analysis of the perimeter conditions of the site to establish any drainage flows on or off of the site, including:

- a. Topographic map with one foot contour lines extending a minimum of 200 feet off of the project site.
 - b. A plan showing adjacent wetlands, adjacent developments, or any significant adjacent features.
 - c. A written narrative describing the perimeter conditions along each side of the project with statements about the presence or absence of on or off-site flows.
 - d. A written description and analysis of the outfall route of the project to the ultimate receiving body. The outfall route may be the limiting factor for the project discharge rate. If a positive legal outfall for the project cannot be established, the project must be designed to hold the 100-year storm on site.
36. **SATISFIED.** A detailed analysis of the interior conditions of the site to establish the predevelopment rate and volume of runoff from the site, including:
- a. Topographic map with one foot contour lines,
 - b. Soils description and map, land cover description and map, groundwater table analysis, wetlands analysis and map,
 - c. A plan showing existing development, FEMA flood zones, location relative to the Coastal High Hazard Area, or any other significant onsite features.
 - d. A written narrative describing the interior conditions of the project.
 - e. Calculations to establish the predevelopment runoff rate and volume. The Rational Formula is generally not an acceptable calculation.
37. **SATISFIED.** A written description and analysis of the water quality treatment to be used on the project.
38. **SATISFIED.** Provide hydrant coverage circles around the proposed fire hydrant locations so that building coverage criteria can be verified.
39. **SATISFIED.** Provide documentation that the existing sanitary lift station has additional capacity for the proposed development of this site.
40. **ADDRESSED.** The revised plan still shows the sewer services on the north and east sides of the project flowing to a terminal manhole in front of building #8. Update the sewer flow direction adjacent to buildings 7 and 8 as it is currently depicting flow to a terminal manhole.
41. **ADDRESSED.** The revised plan still shows the sewer services on the north and east sides of the project flowing to a terminal manhole in front of building #8. Verify the sewer flow for the project. The existing lift station is located at the southeast corner of the site, however flow is depicted flowing to the north property line.
42. **ADDRESSED.** Please clarify if the lift station easement is being revised. Please clarify what the dashed line is indicating. Provide clarification on the easement around the lift station. There is an easement that the southeast corner of building 12 appears to encroach on.

43. **ONGOING.** Provide more information on the drainage patterns for this site.
 - a) How much offsite area is discharging through this site via the exiting drainage easement.
 - b) **ONGOING.** The Towne Park North site needs to be provided as a node in the model so that pre and post elevations can be evaluated. The applicant has modeled the discharge and made reference to adding a flap gate to the structure that accepts off-site drainage. While this would prevent stormwater from backing up into the adjacent site, we do not have enough information to evaluate if the stages on the Towne Park North site would be increased over the current condition. By evaluation of the 25-year 3-day storm on-site, the stage increases from 12.09 to 12.6, which may translate to a stage increase offsite as well. It appears the offsite flow will be discharged to the proposed pond and comingled with the development's stormwater. Existing and proposed elevations upstream must be evaluated.
44. **SATISFIED.** Label the proposed control structure on the plan.
45. **NO FURTHER COMMENT.** Reroute the discharge piping to minimize the private conveyance system within the public right of way.
46. **ONGOING. See comment 11.** Please evaluate the opportunity to elongate the entrance median (landscape island) to push the specimen tree and entrance sign farther back to allow for additional site visibility. Site visibility triangles are called out the entrance, however the triangles are not showing up.
47. **WITHDRAWN as a waiver is requested by Applicant.** All interior sidewalks shall be a minimum of 6 feet wide per City code.
48. **WITHDRAWN as project is no longer a gated community.** Will the call box open both sliding gates simultaneously?
49. **SATISFIED.** Provide autoturn exhibits demonstrating fire truck and garbage truck routes through the site.
50. **SATISFIED.** Update the typical lake cross section to reflect the location of the sidewalk.
51. **ONGOING. Control elevation is still in conflict. The plan shows 8.0 in the typical lake section. The control structure detail and stormwater report both reflect 8.5.** The plan shows a control elevation of 9.5 NAVD versus the stormwater report of 8.0 NAVD.
52. **NEW COMMENTS 3/21/22 RE: SURFACE WATER MANAGEMENT REPORT**
 - a) **ONGOING.** Staff's consultant agrees that the Geotech report supports a seasonal high-water table of 8.5. This does however create an issue in that the tailwater condition is 10. The stormwater report does not show recovery below 10. Additional information will need to be added to the stormwater model to reflect recovery through soil permeability to recover below the tailwater condition down to the seasonal high-water table. Section 3.5 – the control elevation of 8.0 NAVD is supported by the geotechnical report, however it is lower than the downstream elevation shown on page 18 of the report which summarizes adjacent properties ERPs. Has the SFWMD accepted the elevation of 8?

- b) **ONGOING. Exfiltration trench volume has been verified. Show on the plan where the 590 LF of trench will be located.** Section 3.7 – Please verify the treatment volume from BMP Trains. It appears it should be 1.083 ac-ft
- c) **ONGOING. See revised Comment 35.b.** Section 3.9 – please clearly demonstrate how the 9.26 cfs from Towne Park Condominiums is addressed in the ICPR model. Page 39 of the report has an external hydrograph that appears to be this flow; however, the input report does not show how it is connected to the system. Further the referenced hydrograph on page 39 shows a peak flow of 9.18 instead of 9.26.
- d) **ONGOING. See revised Comment 35.b.** Related to comment e) above, since the discharge from Towne Park Condominiums is routed thru this site and is impacted by the lake control structure, an upstream node to represent Towne Park needs to be added to document the upstream stages do not rise from pre to post condition.

Building Department – Passed with Comments

53. **NO FURTHER COMMENT.** Permitting will be considered multi-family unless definition of townhouse is followed. FBC Ch.2: Townhouse means a single-family dwelling unit not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which extends from the foundation to roof and with a yard or public way on not less than two sides.

Environmental – Passed with Comments – Revised 3.21.22

54. Section 5.01.00 - Complete.

55. Section 5.02.00 – Incomplete. Environmental Assessment Report – Additional information is needed on the listed species habitat, survey methodology and the location of transects conducted, along with any copies of coordination conducted with US Fish and Wildlife Service (USFWS) and/or Florida Fish and Wildlife Commission (FWC).

- a) February 2022 Update: Incomplete. The applicant claims that a listed species survey cannot be conducted until closer to construction due to survey expiration dates; however, a review of listed species habitat, preliminary surveys and a description of methodology can be conducted and are required. Additionally, coordination with USFWS or FWC has not been provided or discussed. An updated environmental assessment report with this additional information is needed.

- i. **ONGOING. Updated report revised 2/17/22 states that a gopher tortoise habitat was observed onsite but that a 100% gopher tortoise survey conducted by a FWCC Authorized Agent will be required within 90 days of any clearing or grading activity occurring onsite. Please ensure that all documents do not conflict and that a better clarification is provided.**

56. Section 5.05.00 – Incomplete. Trees – Tree inventory data was not provided.

- a) February 2022 Update: Complete.

57. Section 5.07.00 Incomplete. Floodplains and Flood Damage Prevention – No data on on-site floodplains have been provided.
a) February 2022 Update: Complete.

City of Stuart Public Works – Passed with Comments

58. **This review is not for construction.**
59. **The City of Stuart Utility Availability Fees – all fees must be paid prior to the activation of utility service(s). Please contact Marc Rogolino @ (772)-221-4700 for calculation of fees.**
60. **The Developer is responsible for all costs associated with the construction of proposed utilities (water, sanitary sewer, etc.) & Public Right-of-way improvements.**
61. **Engineer of Record to provide a project cost estimate for (Water & Sanitary sewer items broken out separately) for the calculating of required PW Dept. Inspection fees. Public Works Dept. inspection fees must be paid prior to activation of water service.**
62. **All construction pertinent to this Department shall be installed, inspected, and tested in accordance with the City of Stuart Minimum Design and Construction Standards latest edition and the City of Stuart Specifications and Ordinances where applicable. In case of discrepancies between the construction plans and aforementioned manuals, the most restrictive shall apply.**
63. **All plans to be reviewed by this Department shall be routed through the Permit Technician in the Development Department. Approval by this department shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of the City Code. Approval shall not prevent this department from thereafter requiring a correction of errors in plans, construction or violation of City Code.**
64. **Code compliance rests with the design engineer.**

Fire Department – CONCEPTUALLY APPROVED. Construction plans shall conform with the Florida Fire Prevention Code

65. **SATISFIED.** Show on plans how buildings conform with NFPA 1, 18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Carlyle Tiller, being first duly sworn, depose(s) and say(s):

That (I am) we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

751 SE Central Parkway, Stuart, FL, 34994

That a copy of the notice was sent by regular U.S. Mail on (07/08/2022) to the property owners within 300 feet of the subject property.

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit.



SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF Palm Beach

Sworn and subscribed before me by means of X physical presence or online notarization, this 8th day of July, 2022 By

Carlyle Tiller

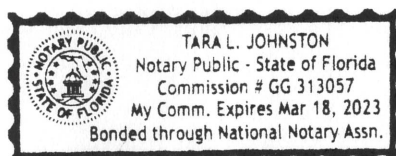
Personally Known OR Produced Identification

Type of Identification Produced:

Notary Public, State of FL
(Notary Seal)

My Commission expires:

March 18th, 2023





PCN	Owner	Account	DOR Code	House#	Prefix
Note that search results may not					
09-38-41-025-001-01120-0	597601 CENTRAL PARKWAY	154189	704	597 SE	
09-38-41-025-001-01130-0	597601 CENTRAL PARKWAY	154190	704	601 SE	
09-38-41-025-003-03050-0	637 SE CENTRAL PARKWAY L	154211	704	637 SE	
09-38-41-013-000-00090-1	6T INVESTMENTS LLC	26637	704	Unknown Address	
09-38-41-025-003-03040-0	6T INVESTMENTS LLC	154210	704	633 SE	
09-38-41-013-000-00070-5	6T INVESTMENTS LLC	26635	704	919 SE	
09-38-41-025-003-03030-0	6T INVESTMENTS LLC	154209	704	629 SE	
09-38-41-013-000-00220-4	947 SE CENTRAL PARKWAY L	26650	704	947 SE	
09-38-41-013-000-00250-7	955 SE CENTRAL PARKWAY L	26653	704	955 SE	
09-38-41-011-801-00110-0	A NU LEAF NURSERY INC	26451	104	801 SE	
09-38-41-025-002-02040-0	A&W ENDEAVORS LLC	154198	704	Unknown Address	
09-38-41-025-002-02030-0	A&W ENDEAVORS LLC	154197	704	515 SE	
09-38-41-025-002-02060-0	A&W ENDEAVORS LLC	154200	704	525 SE	
09-38-41-025-002-02050-0	A&W ENDEAVORS LLC	154199	704	521 SE	
09-38-41-011-802-00080-4	ADAMS DALE HADAMS LUZ ,	26464	104	802 SE	
09-38-41-011-801-00130-6	ALATI ANTONIO CMEDEIROS	26453	104	801 SE	
09-38-41-011-805-00070-9	ANDERSON MARK	26511	104	805 SE	
09-38-41-011-804-00030-1	ANNA CASON DECLARATION	26491	104	804 SE	
09-38-41-033-004-21120-0	APPLETON BUILDING LLC	503557	704	2112 SE	
09-38-41-025-003-03020-0	ASO REALTY GROUP LLC	154208	704	625 SE	
09-38-41-011-805-00160-0	BARRY MARTHA	26520	104	805 SE	
09-38-41-011-805-00090-5	BASCOMBE GREGORY	26513	104	805 SE	
09-38-41-011-806-00070-7	BASS THOMAS K L/E	26527	104	806 SE	
09-38-41-011-802-00120-6	BERGER, CHARLES A	26468	104	802 SE	
09-38-41-011-805-00050-3	BERTOLINI THOMAS L/EBER	26509	104	805 SE	
09-38-41-025-002-02100-0	BOWMAN SCOTT	154204	704	541 SE	
09-38-41-014-000-00010-7	BOYS ARE US LTD	26663	717	710 SE	
09-38-41-025-002-02070-0	BRIONES LUIS C & DOLORES	154201	704	529 SE	
09-38-41-011-802-00070-6	BRUNO, MICHAEL A	26463	104	802 SE	
09-38-41-011-801-00120-8	CAGLIANO MARIO	26452	104	801 SE	
09-38-41-013-000-00010-8	CALIDAD PROPERTIES LLC	26629	704	Unknown Address	
09-38-41-013-000-00030-4	CALIDAD PROPERTIES LLC	26631	704	903 SE	
09-38-41-033-005-21160-0	CANNON INVESTMENT GROU	572651	704	2118 SE	
09-38-41-011-805-00120-9	CANTORE CHRISTOPHER	26516	104	805 SE	
09-38-41-011-804-00060-4	CANZONETTA, GARY ACANZI	26494	104	804 SE	
09-38-41-011-803-00050-8	CARLETON GRACE	26477	104	803 SE	
09-38-41-011-805-00010-2	CARLETON MARK A & GRACI	26505	104	805 SE	
09-38-41-025-002-02080-0	CARPINO HOLDINGS LLC	154202	704	533 SE	
09-38-41-011-805-00040-6	CARRYL LISA M	26508	104	805 SE	
09-38-41-013-000-00050-9	CCAM LLC	26633	704	Unknown Address	
09-38-41-013-000-00060-7	CCAM LLC	26634	704	911 SE	
09-38-41-013-000-00040-2	CCAM LLC	26632	704	909 SE	
09-38-41-025-000-00001-0	CENTRAL PARKWAY BUSINES	154177	944	Unknown Address	
09-38-41-028-000-00030-0	CENTRAL PARKWAY PLAZA L	157494	700	Unknown Address	
09-38-41-013-000-00001-0	CENTRAL PARKWAY PROFES	132304	944	Unknown Address	

09-38-41-011-803-00100-8	CHAPMAN, BARBARA A	26482	104	803 SE
09-38-41-033-000-00001-0	CITY PROFESSIONAL CENTER	724258	944	Unknown Address
09-38-41-025-001-01110-0	CLJJLD LANDHOLDINGS LLC	154188	704	593 SE
09-38-41-025-001-01150-0	CLJJLD LANDHOLDINGS LLC	154192	704	609 SE
09-38-41-011-806-00100-1	CONAHAN JORDAN	26530	104	806 SE
09-38-41-011-802-00090-2	CONKLIN, MARSHALL A	26465	104	802 SE
09-38-41-025-002-02010-0	CONNELLY HOLDINGS LLC	154195	704	505 SE
09-38-41-025-002-02020-0	CONNELLY HOLDINGS LLC	154196	704	509 SE
09-38-41-011-802-00160-7	CORCORAN JOHN F	26472	104	802 SE
09-38-41-011-804-00070-2	COWHER, THOMAS G	26495	104	804 SE
09-38-41-011-806-00160-8	CRANDALL BOBBIE G L/E	26536	104	806 SE
09-38-41-011-000-00001-1	CYPRESS HOLDING LLC	26439	670	Unknown Address
09-38-41-011-801-00070-8	DAVIDOVAC SINISAKONESKA	26447	104	801 SE
09-38-41-025-003-03070-0	DDZM PARTNERS LLC	154213	704	645 SE
09-38-41-025-003-03060-0	DDZM PARTNERS LLC	154212	704	641 SE
09-38-41-011-804-00020-3	DEARY PAMELA	26490	104	804 SE
09-38-41-025-002-02110-0	DESIGN BLIND AND DRAPER'	154205	704	545 SE
09-38-41-025-002-02090-0	DESIGN BLIND AND DRAPER'	154203	704	537 SE
09-38-41-025-002-02120-0	DESIGN BLIND-DRAPERY SER	154206	704	549 SE
09-38-41-025-001-01160-0	DIVERSIFIED THERAPEUTICS	154193	704	613 SE
09-38-41-025-001-01170-0	DIVERSIFIED THERAPEUTICS	154194	704	617 SE
09-38-41-011-804-00150-5	DOMINICO, DANIELLE	26503	104	804 SE
09-38-41-011-802-00060-8	DONALD & SHIRLEY A WIEG	26462	104	802 SE
09-38-41-011-803-00160-5	DOOBAY BHISHMA YUDHEY'	26488	104	803 SE
09-38-41-011-806-00110-9	DOYLE JAMES LDOYLE SUSA	26531	104	806 SE
09-38-41-013-000-00310-5	EK 4 US RESOURCES LLC	26659	704	967 SE
09-38-41-013-000-00320-3	EK 4 US RESOURCES LLC	26660	704	969 SE
09-38-41-011-801-00150-1	ELSON ROBERTELSON RONI	26455	104	801 SE
09-38-41-025-003-03100-0	ENDRISS, JEFFREY W & CARE	154216	704	657 SE
09-38-41-011-804-00160-3	EZRA M & LAURA H APPEL IN	26504	104	804 SE
09-38-41-011-801-00040-5	FISHER, LOUISE	26444	104	801 SE
09-38-41-011-804-00080-0	FLORA, VIRGINIA C	26496	104	804 SE
09-38-41-011-802-00140-2	FLOWERS ROBERT JFLOWER	26470	104	802 SE
09-38-41-013-000-00240-0	FRASER CONSULTING LLC	26652	704	951 SE
09-38-41-011-804-00010-5	GARBER KELLY E	26489	104	804 SE
09-38-41-011-801-00030-7	GASPARIAN ANNIE MISAC	26443	104	801 SE
09-38-41-011-806-00120-7	GAUDER JOEGAUDER GLENN	26532	104	806 SE
09-38-41-011-806-00140-3	GAUDER LILORUNNING JANE	26534	104	806 SE
09-38-41-011-803-00120-4	GORMAN JAMES	26484	104	803 SE
09-38-41-025-001-01020-0	GSW ENTERPRISES LLC	154179	704	557 SE
09-38-41-025-001-01040-0	GSW ENTERPRISES LLC	154181	704	565 SE
09-38-41-025-001-01030-0	GSW ENTERPRISES LLC	154180	704	561 SE
09-38-41-011-801-00050-2	GUNDERSON, ELIZABETH A	26445	104	801 SE
09-38-41-011-802-00100-0	HALAMKA GREGORY J	26466	104	802 SE
09-38-41-011-801-00080-6	HANDWERKER LEE	26448	104	801 SE
09-38-41-011-806-00010-0	HARMON MICHELLE E	26521	104	806 SE
09-38-41-011-804-00040-9	HATZAKOS PETERHATZAKOS	26492	104	804 SE

09-38-41-011-803-00060-6	HAYHURST, JEREMIAH V	26478	104	803 SE
09-38-41-025-001-01090-0	HILL DAVID E & VIRGINIA LA	154186	704	585 SE
09-38-41-011-806-00080-5	HIRSCH JANICE MILDREDDU	26528	104	806 SE
09-38-41-011-806-00150-0	HIRSCH SUSAN J	26535	104	806 SE
09-38-41-011-803-00080-2	HUFNAGEL MARK F SRHUFN	26480	104	803 SE
09-38-41-025-003-03090-0	HUTCHINSON BONNIE JO	154215	704	653 SE
09-38-41-025-001-01100-0	ISADORE WILLIAM A & MAR	154187	704	589 SE
09-38-41-011-802-00110-8	JAMES NOLA TRUST	26467	104	802 SE
09-38-41-011-803-00030-3	JANINE LEE WIEGOLD REVO	26475	104	803 SE
09-38-41-011-802-00040-3	JASON HOUTRIDES REVOCA	26460	104	802 SE
09-38-41-011-803-00010-7	JEFFREY L BERMAN AND LIS	26473	104	803 SE
09-38-41-011-805-00140-5	JOANNE C MCVICAR TRUST	26518	104	805 SE
09-38-41-011-802-00130-4	JOHNSON ANGELA C	26469	104	802 SE
09-38-41-011-801-00090-4	JOHNSON ANGELA C	26449	104	801 SE
09-38-41-025-003-03120-0	KABINOFF GARY	154218	704	665 SE
09-38-41-025-001-01080-0	KEIRCAL LLC	154185	704	581 SE
09-38-41-011-804-00110-4	KIMBERLIN, PAMELA	26499	104	804 SE
09-38-41-011-804-00090-8	KIRCH KATHLEEN	26497	104	804 SE
09-38-41-011-804-00050-6	KIRCH SUSAN KINANE	26493	104	804 SE
09-38-41-011-803-00020-5	KRUKOWSKI MARGO	26474	104	803 SE
09-38-41-011-801-00100-2	KVAPIL JOANNE M	26450	104	801 SE
09-38-41-025-003-03010-0	LAND TRUST NO THREE	154207	704	621 SE
09-38-41-011-806-00020-8	LEASE, LINDA C	26522	104	806 SE
09-38-41-025-001-01140-0	LEE JIMMY C & SHIRLEY S	154191	704	605 SE
09-38-41-011-802-00020-7	LEFT BANK PROPERTIES LLC	26458	104	802 SE
09-38-41-011-801-00020-9	LEONARD SANDRA JEANCLO	26442	104	801 SE
09-38-41-013-000-00280-1	LEWIS RICHARD ALEWIS LOR	26656	704	961 SE
09-38-41-011-802-00010-9	LOPEZ LUCILA	26457	104	802 SE
09-38-41-011-803-00150-7	LUNDBLAD LOISLUNDBLAD I	26487	104	803 SE
09-38-41-011-805-00100-3	MACDONALD DAVID R & M	26514	104	805 SE
09-38-41-011-806-00050-1	MARSDEN JUNE K L/E	26525	104	806 SE
09-38-41-011-803-00140-0	MARY K MAZZONE IRREVOC	26486	104	803 SE
09-38-41-011-801-00010-1	MASON ANNE	26441	104	801 SE
09-38-41-013-000-00100-9	MCDONALD TROY & PORTIA	26638	704	921 SE
09-38-41-011-805-00130-7	MCGARRAHAN PATSY	26517	104	805 SE
09-38-41-011-801-00140-4	MCLEAN KAREN	26454	104	801 SE
09-38-41-011-805-00080-7	MCLEAN KIRKMCLEAN PAMI	26512	104	805 SE
09-38-41-013-000-00290-9	MEDER JOSEPH R & TAMMIE	26657	704	963 SE
09-38-41-013-000-00300-7	MEDER JOSEPH R & TAMMIE	26658	704	Unknown Address
09-38-41-020-000-00003-0	MERRICK R DMERRICK P M	128297	979	Unknown Address
09-38-41-020-000-00002-0	MERRICK R DMERRICK P M	128296	959	1898 SE
09-38-41-011-805-00150-2	MICHAEL & JANET BALDWIN	26519	104	805 SE
09-38-41-013-000-00180-2	MIRYANA MOORE SCHUBER	26646	704	937 SE
09-38-41-014-000-00020-5	NATIONAL HEALTH INVESTO	26664	678	800 SE
09-38-41-014-000-00030-3	NATIONAL HEALTHCORP L.P	26665	674	860 SE
09-38-41-011-803-00070-4	NAVY BLUE TRUST	26479	104	803 SE
09-38-41-025-001-01070-0	NICHOLSON SHARMAIN	154184	704	577 SE

09-38-41-013-000-00200-8	NINA L FERRARO PA	26648	704	943 SE
09-38-41-013-000-00210-6	NINA L FERRARO PA	26649	704	939 SE
09-38-41-013-000-00190-0	NOLEB LLC	26647	704	941 SE
09-38-41-000-000-00400-1	NP I INC	25846	716	2044 SE
09-38-41-011-805-00110-1	OCHARCHIN SANDRA	26515	104	805 SE
09-38-41-033-003-21080-0	PENSION SOURCE INC	787055	704	2108 SE
09-38-41-025-001-01050-0	PROPERTY SERVICE ASSOCIA	154182	704	569 SE
09-38-41-025-001-01010-0	PROPERTY SERVICE ASSOCIA	154178	704	553 SE
09-38-41-011-806-00040-4	PROPERTY VENTUR-Z LLC	26524	104	806 SE
09-38-41-011-805-00030-8	RAMO FAMILY IRREVOCABLI	26507	104	805 SE
09-38-41-013-000-00170-4	RISK COMPLIANCE INC	26645	704	935 SE
09-38-41-033-001-21000-0	RITTER ONE LLC	281358	704	2100 SE
09-38-41-025-003-03080-0	RONALD D RENNER TRUST	154214	704	649 SE
09-38-41-025-001-01060-0	RYAN MANAGEMENT LLC	154183	704	573 SE
09-38-41-011-801-00160-9	SALLADE THEODORE ASALLA	26456	104	801 SE
09-38-41-011-806-00060-9	SAMMITO, NORA J	26526	104	806 SE
09-38-41-013-000-00080-3	SCHAMBACK BONNIE	26636	704	917 SE
09-38-41-011-801-00060-0	SCHREER, ALEX & ELLE	26446	104	801 SE
09-38-41-011-802-00050-0	SCHUERMAN PATRICK	26461	104	802 SE
09-38-41-033-002-21040-0	SE RAYS WAY LLC	856687	704	2104 SE
09-38-41-013-000-00150-8	SEELY GREG & PORTIA	26643	704	933 SE
09-38-41-013-000-00160-6	SEELY GREG & PORTIA	26644	704	Unknown Address
09-38-41-013-000-00140-1	SEELY GREGSEELY PORTIA	26642	704	929 SE
09-38-41-013-000-00120-5	SEELY GREGSEELY PORTIA	26640	704	Unknown Address
09-38-41-013-000-00110-7	SEELY GREGSEELY PORTIA	26639	704	925 SE
09-38-41-013-000-00130-3	SEELY GREGSEELY PORTIA	26641	704	Unknown Address
09-38-41-011-802-00150-9	SENKER FAMILY REVOCABLE	26471	104	802 SE
09-38-41-013-000-00230-2	SERENITY MASSAGE & MOVI	26651	704	949 SE
09-38-41-013-000-00340-9	SHAW STUARTSHAW JUDITH	26662	704	973 SE
09-38-41-013-000-00330-1	SHAW STUARTSHAW JUDITH	26661	704	971 SE
09-38-41-011-804-00140-8	SILVA FAMILY MANAGEMEN	26502	104	804 SE
09-38-41-013-000-00020-6	SOUTHERN WAYPOINT LLC	26630	704	907 SE
09-38-41-020-000-00060-0	STUART HILLS LODGE LLC	128303	739	1900 SE
09-38-41-011-803-00130-2	STUART MARJORIEFRY TERE	26485	104	803 SE
09-38-41-011-804-00120-2	TEMPLE KRISTENTEMPLE JOI	26500	104	804 SE
09-38-41-011-804-00130-0	THORNE JEREMY JTHORNE S	26501	104	804 SE
09-38-41-011-000-00001-0	TOWNE PARK NORTH COND	26440	974	Unknown Address
09-38-41-013-000-00260-5	TRADEWINDS PROPERTY M/	26654	704	959 SE
09-38-41-013-000-00270-3	TRADEWINDS PROPERTY M/	26655	704	Unknown Address
09-38-41-011-803-00090-0	TROSTLE PATRICIA ATROSTL	26481	104	803 SE
09-38-41-011-804-00100-6	VALENCIC, EDWARD A	26498	104	804 SE
09-38-41-011-806-00130-5	VALPATIC DAVID J	26533	104	806 SE
09-38-41-011-803-00110-6	VITALI, RAYMOND R & DORC	26483	104	803 SE
09-38-41-011-805-00020-0	WALKER BEVERLY ANNWALK	26506	104	805 SE
09-38-41-011-806-00090-3	WHITE NANCY C L/EWHITE L	26529	104	806 SE
09-38-41-025-003-03110-0	WOJNO TERESA	154217	704	661 SE
09-38-41-011-802-00030-5	WOOD DIANE M	26459	104	802 SE

09-38-41-011-803-00040-1	WRIGHT PATRICIA W	26476	104	803 SE
09-38-41-011-806-00030-6	YOUNGLOVE WALTER JEFFRI	26523	104	806 SE

Street	Street Type	Post Dir	Suite	City	State	Zip	Mail Street	Mail City
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
							19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	3533 SE FA	STUART
CENTRAL	PKWY			STUART	FL	34994	955 SE CEN	STUART
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							PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY		8	STUART	FL	34994	802 CENTR	STUART
CENTRAL	PKWY		13	STUART	FL	34994	500 SW AS	PORT ST LL
CENTRAL	PKWY		7	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		3	STUART	FL	34994	JULIA ANN	STUART
WAYS	WAY			STUART	FL	34994	1708 CORP	BOYNTON I
CENTRAL	PKWY			STUART	FL	34994	4310 SE BA	STUART
CENTRAL	PKWY		16	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		9	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		7	STUART	FL	34994	806 SE CEN	STUART
CENTRAL	PKWY		12	STUART	FL	34994	802 CENTR	STUART
CENTRAL	PKWY		5	STUART	FL	34994	4155 NW C	JENSEN BE
CENTRAL	PKWY			STUART	FL	34994	701 SW PI	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	700 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	5640 SE NC	STUART
CENTRAL	PKWY		7	STUART	FL	34994	802 SE CEN	STUART
CENTRAL	PKWY		12	STUART	FL	34994	801 SE CEN	STUART
							903 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	903 SE CEN	STUART
WAYS	WAY			STUART	FL	34994	2116 SE RA	STUART
CENTRAL	PKWY		12	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		6	STUART	FL	34994	7830 DINE	NOVELTY
CENTRAL	PKWY		5	STUART	FL	34994	233 NE TRE	JENSEN BE
CENTRAL	PKWY		1	STUART	FL	34994	233 NE TRE	JENSEN BE
CENTRAL	PKWY			STUART	FL	34994	533 SE CEN	STUART
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							909 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	909 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	909 SE CEN	STUART
							2370 NE O	STUART
							12 S RIDGE	STUART
							909 SE CEN	STUART

CENTRAL	PKWY	10	STUART	FL	34994 803 SE CEN STUART 2100 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 305 VAN BITEANECK
CENTRAL	PKWY	9	STUART	FL	34994 802 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 3870 SW C. PALM CITY
CENTRAL	PKWY		STUART	FL	34994 3870 SW C. PALM CITY
CENTRAL	PKWY	16	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	7	STUART	FL	34994 PO BOX 20 STUART
CENTRAL	PKWY	16	STUART	FL	34994 806 SE CEN STUART 902 CARNE PRINCETON
CENTRAL	PKWY	7	STUART	FL	34994 3554 CEDA MISSISSAUI
CENTRAL	PKWY		STUART	FL	34994 645 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 645 SE CEN STUART
CENTRAL	PKWY	2	STUART	FL	34994 2586 SW FI PALM CITY
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	6	STUART	FL	34994 DONALD & STUART
CENTRAL	PKWY	16	STUART	FL	34994 SEAWAY PK WELLAND
CENTRAL	PKWY	11	STUART	FL	34994 343 EDINBI CHADDS FC
CENTRAL	PKWY		STUART	FL	34994 969 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 969 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 30 W 86TH NEW YORK
CENTRAL	PKWY		STUART	FL	34994 595 SW SA STUART
CENTRAL	PKWY	16	STUART	FL	34994 999 SW 38' PALM CITY
CENTRAL	PKWY	4	STUART	FL	34994 801 CENTR STUART
CENTRAL	PKWY	8	STUART	FL	34994 804 CENTR STUART
CENTRAL	PKWY	14	STUART	FL	34994 460 SE ST L STUART
CENTRAL	PKWY		STUART	FL	34994 1526 NW B PALM CITY
CENTRAL	PKWY	1	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	3	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	12	STUART	FL	34994 201F TYNH BARRIE
CENTRAL	PKWY	14	STUART	FL	34994 8 PINE POII BARRIE
CENTRAL	PKWY	12	STUART	FL	34994 173 BROOK SCARSDALE
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY	5	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 W6462 OLI MINONG
CENTRAL	PKWY	1	STUART	FL	34994 1211 E KEN TAMPA
CENTRAL	PKWY	4	STUART	FL	34994 516 SW CA STUART

CENTRAL	PKWY	6	STUART	FL	34994 3515 NE SK JENSEN BE/
CENTRAL	PKWY		STUART	FL	34994 PO BOX 31 STUART
CENTRAL	PKWY	8	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 6765 SW C STUART
CENTRAL	PKWY		STUART	FL	34994 1309 SE 9T STUART
CENTRAL	PKWY		STUART	FL	34994 1189 SW F PALM CITY
CENTRAL	PKWY	11	STUART	FL	34994 JAMES NOI JENSEN BE/
CENTRAL	PKWY	3	STUART	FL	34994 JANINE LEE PALM CITY
CENTRAL	PKWY	4	STUART	FL	34994 1925 SW V PORT SAIN'
CENTRAL	PKWY	1	STUART	FL	34994 JEFFREY L E PALM CITY
CENTRAL	PKWY	14	STUART	FL	34994 JOANNE C I STUART
CENTRAL	PKWY	13	STUART	FL	34994 1725 NE 15 MIAMI
CENTRAL	PKWY	9	STUART	FL	34994 1725 NE 15 MIAMI
CENTRAL	PKWY		STUART	FL	34994 665 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 PO BOX 18 PALM CITY
CENTRAL	PKWY	11	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	9	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	5	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	2	STUART	FL	34994 3901 SHEL I WATERFOF
CENTRAL	PKWY	10	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 A WAYNE S STUART
CENTRAL	PKWY	2	STUART	FL	34994 806 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 3449 SW S PALM CITY
CENTRAL	PKWY	2	STUART	FL	34994 6 STATE ST WARREN
CENTRAL	PKWY	2	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 594 SE HID PORT SAIN'
CENTRAL	PKWY	1	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 803 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 40 HIGHLA FT ERIE
CENTRAL	PKWY	5	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	14	STUART	FL	34994 JAMIE MAZ WINTHROP
CENTRAL	PKWY	1	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 921 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 805 SE CEN STUART
CENTRAL	PKWY	14	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 805 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 5656 SW E' STUART
					5656 SW E' STUART
					UPTON MANOR
FEDERAL	HWY		STUART	FL	34994 UPTON MANOR
CENTRAL	PKWY	15	STUART	FL	34994 MICHAEL A BRISTOW
CENTRAL	PKWY		STUART	FL	34994 MIRYANA I STUART
CENTRAL	PKWY		STUART	FL	34994 800 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 860 SE CEN STUART
CENTRAL	PKWY	7	STUART	FL	34994 SUZANNE C STUART
CENTRAL	PKWY		STUART	FL	34994 577 SE CEN STUART

CENTRAL	PKWY		STUART	FL	34994 939 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 939 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 8304 SE KE HOBE SOUI
FEDERAL	HWY		STUART	FL	34994 4280 PROF PALM BEAC
CENTRAL	PKWY	11	STUART	FL	34994 1802-500 C STONEY CR
WAYS	WAY		STUART	FL	34994 2110 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
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CENTRAL	PKWY	4	STUART	FL	34994 2586 SE ST STUART
CENTRAL	PKWY	3	STUART	FL	34994 JACQUELIN MERRICK
CENTRAL	PKWY		STUART	FL	34994 935 SE CEN STUART
WAYS	WAY		STUART	FL	34994 1817 SW C PALM CITY
CENTRAL	PKWY		STUART	FL	34994 RONALD D JENSEN BE/
CENTRAL	PKWY		STUART	FL	34994 PO BOX 47 WICHITA
CENTRAL	PKWY	16	STUART	FL	34994 PO BOX 48 LEWISBURC
CENTRAL	PKWY	6	STUART	FL	34994 806 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 917 SE CEN STUART
CENTRAL	PKWY	6	STUART	FL	34994 9860 SW 1 MIAMI
CENTRAL	PKWY	5	STUART	FL	34994 PO BOX 21 STUART
WAYS	WAY		STUART	FL	34994 2104 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 37 NE LOFT STUART
					37 NE LOFT STUART
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					37 NE LOFT STUART
CENTRAL	PKWY		STUART	FL	34994 37 NE LOFT STUART
					37 NE LOFT STUART
CENTRAL	PKWY	15	STUART	FL	34994 RICHARD & STUART
CENTRAL	PKWY		STUART	FL	34994 949 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 973 SE CEN STUART
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CENTRAL	PKWY	14	STUART	FL	34994 6950 SW 1 MIAMI
CENTRAL	PKWY		STUART	FL	34994 907 SE CEN STUART
FEDERAL	HWY	112	STUART	FL	34994 13187 ASH FAIRFAX
CENTRAL	PKWY	13	STUART	FL	34994 228 VICTOI TIVERTON
CENTRAL	PKWY	12	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 804 SE CEN STUART
					430 SW LAI PORT SAIN'
CENTRAL	PKWY		STUART	FL	34994 959 SE CEN STUART
					959 SE CEN STUART
CENTRAL	PKWY	9	STUART	FL	34994 803 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 181 SW SO STUART
CENTRAL	PKWY	11	STUART	FL	34994 68 VIRGINI WILKES BA
CENTRAL	PKWY	2	STUART	FL	34994 33 OLIVER THAMESFC
CENTRAL	PKWY	9	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 5799 NE ISI STUART
CENTRAL	PKWY	3	STUART	FL	34994 265 MORG RICHMONC

CENTRAL PKWY
CENTRAL PKWY

4 STUART FL
3 STUART FL

34994 803 SE CEN STUART
34994 806 SE CEN STUART

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CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Local Planning Agency

Meeting Date: 7/25/2022

Prepared by: Erin Wohlitka

Title of Item:

SAILFISH CAY REZONING TO RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) (QUASI-JUDICIAL) (RC):

ORDINANCE No. 2487-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF SIXTY (60) TOWNHOUSE UNITS; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

Summary Explanation/Background Information on Agenda Request:

The intent of this application is to request a rezoning from a Commercial Planned Unit Development (CPUD) to a Residential Planned Unit Development (RPUD) to allow the construction of 60 multifamily townhouse units on 4.88 acres of land. The subject property is located at 751 SE Central Parkway. See attached staff report for additional information.

Funding Source:

N/A

Recommended Action:

On June 9, 2022, the Local Planning Agency (LPA) unanimously recommended approval of the subject petition to the City Commission. Staff recommends approval of Ordinance No. 2487-2022 subject to the conditions of approval located therein.

ATTACHMENTS:

1. A.1 Ordinance 2487-2022
2. A.2 Ordinance 2487-2022 'Exhibit D'
3. B. Staff Report - Ord 2487-2022
4. C. Rezoning Application
5. D. Project Narrative
6. D. Ordinance 1174-89
7. D. Ordinance 1293-93
8. D. Ordinance 2106-07
9. D. Staff Review Comments 03.21.2022
10. E.1 Affidavit for letter to surrounding property owners - Executed



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2487-2022

* * * * *

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AMENDING THE CITY'S OFFICIAL ZONING MAP TO REZONE REAL PROPERTY FROM COMMERCIAL PLANNED UNIT DEVELOPMENT "CPUD" TO RESIDENTIAL PLANNED UNIT DEVELOPMENT "RPUD" FOR A 4.88-ACRE PARCEL, LOCATED AT 751 SE CENTRAL PARKWAY; SAID LAND BEING MORE FULLY DESCRIBED IN EXHIBIT "A" ATTACHED; ESTABLISHING THE SAILFISH CAY RPUD CONSISTING OF SIXTY (60) TOWNHOUSE UNITS; APPROVING A MASTER SITE PLAN; PROVIDING FOR DEVELOPMENT CONDITIONS AND A TIMETABLE FOR DEVELOPMENT, DECLARING THE PLAN TO BE CONSISTENT WITH THE CITY'S COMPREHENSIVE PLAN; PROVIDING DIRECTIONS TO THE CITY CLERK; PROVIDING FOR REPEAL OF ALL ORDINANCES IN CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE, AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, on December 11, 1989, the City of Stuart City Commission adopted Ordinance Number 1174-89, adopting a comprehensive growth management plan as mandated by the local government comprehensive planning and land development regulation act, Chapter 163, Part II, Florida State Statutes, also known as the City of Stuart Comprehensive Plan, that designated this future land use of this property as Multi-Family Residential (MF-RES); and

WHEREAS, on June 14, 1993, the City of Stuart City Commission adopted Ordinance 1293-93, approving a land use amendment from Multi-Family Residential (MF-RES) to Institutional (I) for the Abundant Life Ministries Church; and

WHEREAS, on May 14, 2007, the City of Stuart City Commission adopted Ordinance 2106-07, approving a land use amendment from Industrial (I) to Commercial (C) and a rezoning from Residential-3 (R-3) to Commercial Planned Unit Development (CPUD) to allow for a professional and medical office center; and

WHEREAS, on August 8, 2022, the City of Stuart City Commission adopted Ordinance 2486, 2022, approving a land use amendment from Commercial (C) to Multi-Family Residential (MF-RES);

WHEREAS, on November 5, 2021, an application was submitted to the city for a Rezoning from Commercial Planned Unit Development (CPUD) to Residential Planned Unit Development (RPUD); and

WHEREAS, the Local Planning Agency board held a property noticed hearing at a regularly scheduled meeting on June 9, 2022, to consider the applicant's request and recommended approval of the subject petition to the City Commission; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission to consider the application by Johnston Group and 751 Central Parkway, LLC (applicant) representing Cypress Holding, LLC (property owner) for a 4.88-acre parcel of land; and

WHEREAS, the City of Stuart has determined the need to change the Land Development Zoning District for said lands; and

WHEREAS, the City Commission, has considered the Petitioner's voluntary request for zoning designations, and has also considered the recommendation of City staff; and

WHEREAS, the Applicant has committed to the City that its development will comply with all development codes, plans, standards and conditions approved by the City Commission; and that it will bind its successors in title to any such commitments made upon approval of the Rezoning; and

WHEREAS, at the hearing the applicant showed by substantial competent evidence that the application is consistent with the Stuart Comprehensive Plan, and the Land Development Code of the City, and with the procedural requirements of law; and

WHEREAS, the foregoing recitals are true and adopted as findings of fact and conclusions of law.

WHEREAS, the property is legally described in “**Exhibit A**” of this ordinance. A map depicting the property is attached hereto as **Exhibit “B”** and made a part hereof by reference; and development conditions including a timetable for construction attached hereto as **Exhibit “C”**;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The following new documents are on file as public records of the City, at the office of the City Clerk in City Hall, and attached hereto as **Exhibit “D”**, hereinafter the “Development Documents”, shall be deemed a part of the development conditions, and shall supplement any earlier approvals:

- a. **Site Plan, Sheet SP-1, prepared by *Litterick Landscape Architecture*, dated March 24, 2022.**
- b. **Site Details, Sheet SP-2, prepared by *Litterick Landscape Architecture*, dated March 25, 2022.**
- c. **Fire Access Exhibit, Sheet SP-3, prepared by *Litterick Landscape Architecture*, dated February 21, 2022.**
- d. **Boundary & Topographic Survey, Sheets 1-3 of 3, prepared by *Engineering Design & Construction, Inc.*, dated February 18, 2022.**

- e. Landscape Plans, Sheets LP-1 through LP-4, prepared by *Litterick Landscape Architecture*, dated October 20, 2021.
- f. Tree Disposition Plan, Sheets TD-1 and TD-2, prepared by *Litterick Landscape Architecture*, prepared February 21, 2022.
- g. Sign Plan, Sheet MS-1, prepared by *Camilo Lopez*, dated March 30, 2022.
- h. Pool Cabana, Sheet A-1, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.
- i. Elevations, 4-Unit Building I, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.
- j. Elevations, 4-Unit Building Type II, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.
- k. Elevations, 5-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.
- l. Elevations, 6-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.
- m. Floor Plans, 7-Unit Building, Sheet A-1, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.
- n. Elevations, 7-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.
- o. Unit Plans, Plan A, Plan B, and Plan C, prepared by Dewey A. LeBlanc, dated November 5, 2021.
- p. Preliminary Engineering Plan, Sheet 1 of 2, by *Engineering Design & Construction, Inc.*, dated March 30, 2022.
- q. Preliminary Engineering Plan, Sheet 2 of 2, by *Engineering Design & Construction, Inc.*, dated February 21, 2022.
- r. Lift Station Site Plan, prepared by *City of Stuart Utilities & Engineering Department*, Dated October 2021.
- s. Photometric Plan, 1 page, dated January 3, 2022.
- t. Lift Station Report, 10 pages, prepared by *Engineering Design & Construction, Inc.*, dated February 2022.
- u. Traffic Analysis, 28 pages, prepared by *O'Rourke Engineering & Planning*, dated February 21, 2022.

- v. **Environmental Assessment, 13 pages, prepared by *Engineering Design & Construction, Inc.*, dated March 22, 2022.**
- w. **Drainage Calculations & Surface Water Management Report, 149 pages, prepared by *Engineering Design & Construction, Inc.*, dated March 2022.**

SECTION 2: The Land Development (Zoning) District designation on the City of Stuart Official Zoning Map shall be established as “Residential Planned Unit Development (RPUD)” amended by this ordinance to allow for 60 townhome units.

SECTION 3: This ordinance becomes effective upon adoption.

SECTION 4: Except as otherwise provided herein, no development permits, site permits, or building permits shall be issued by the City except in compliance with the City’s Land Development Code.

SECTION 5: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof is hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the Developer of the site, this ordinance shall prevail.

SECTION 6: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

SECTION 7: Following the adoption and acceptance of this ordinance by the Owners, and in addition to any other action for failure to complete development or otherwise comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the hearing before the

City Commission, the Developer may appear and may contest the allegation of breach or explain the reason or reasons for the breach. Upon a finding of a material breach of the Development Documents and therefore, the Ordinance(s) adopting the same, the City Commission may impose or do any or all of the following:

- a. Initiate the process to amend or repeal this or any other ordinance pertaining to the development.
- b. Direct the City Development Director to initiate the process to rezone the PUD property or any portion of the PUD property.
- c. Impose an administrative penalty of up to \$1,000.00 for each violation, and up to \$5,000.00 for each repeat violation that occurs, along with all reasonable costs, including attorney's fees incurred by the City.

Any breach of any provision or condition of this PUD ordinance by the Developer shall be considered a zoning violation subject to any remedies provided herein, or as otherwise provided by law. In the event a violation found continues from day to day, each day the violation is found to continue shall be deemed a separate violation.

SECTION 8: This ordinance shall be effective upon the following to occur: adoption by the City Commission, and proper execution and acceptance by the Owner.

SECTION 9: The complete execution and recording of this Ordinance by the City Clerk shall occur no later than 60 days from the date of this approval, failing which this ordinance shall be void.

SECTION 10: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

Passed on first reading the 25th day of July 2022.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Commissioner _____ offered the foregoing Resolution and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this 8th day of August 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK MAYOR

MERRITT MATHESON

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

ACCEPTANCE AND AGREEMENT

BY SIGNING THIS ACCEPTANCE AND AGREEMENT, THE UNDERSIGNED HEREBY ACCEPTS AND AGREES TO ALL OF THE TERMS AND CONDITIONS CONTAINED IN A RESIDENTIAL PLANNED UNIT DEVELOPMENT AND IN ALL EXHIBITS, ATTACHMENTS AND DEVELOPMENT DOCUMENTS, INTENDING TO BE BOUND THEREBY, AND THAT SUCH ACCEPTANCE AND AGREEMENT IS DONE FREELY, KNOWINGLY, AND WITHOUT ANY RESERVATION, AND FOR THE PURPOSES EXPRESSED WITHIN THE ABOVE ORDINANCE. IF IT IS LATER DISCOVERED THAT THE UNDERSIGNED, OR ITS SUCCESSORS OR ASSIGNS HAVE FAILED IN ANY MATERIAL WAY TO DEVELOP THIS RESIDENTIAL PLANNED UNIT DEVELOPMENT (RPUD) ACCORDING TO THIS ORDINANCE, ITS CONDITIONS, AND THE DEVELOPMENT PLANS AND DOCUMENTS, THE UNDERSIGNED UNDERSTANDS AND AGREES THAT THIS ORDINANCE MAY BE AMENDED OR REPEALED BY THE CITY COMMISSION, AND THAT OTHER ACTIONS MAY BE TAKEN AGAINST THE UNDERSIGNED BY THE CITY, INCLUDING BUT NOT LIMITED TO CODE ENFORCEMENT ACTIONS, PERMIT AND LICENSING REVOCATIONS, AND ALL APPLICABLE CIVIL AND CRIMINAL ACTIONS.

IN WITNESS WHEREOF THE UNDERSIGNED HAS EXECUTED THIS ACCEPTANCE AND AGREEMENT:

WITNESSES:

Print Name: _____

Print Name: _____

Cypress Holding, LLC

By: _____

Jeffrey H. Sands, Managing Member

OWNERS ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before me this _____ day
of _____, 2022, by Jeffrey H. Sands, Managing Member of Cypress Holding, LLC.

Notary Public, State of Florida

My Commission Expires:

Notary Seal

Personally Known _____ OR Produced Identification _____

Type of Identification Produced _____

CITY’S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before The above
Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical
presence or ☐ online notarization this _____ day of _____, 2022 Merritt Matheson,
Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida
municipal corporation, who ☐ are personally known to me or ☐ have produced
_____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

EXHIBIT A – LEGAL DESCRIPTION

TOWNE PARK, ACCORDING TO THE PLAT THEIROF AS RECORDED IN
PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY
FLORIDA. CONTAINING 4.88 ACRES, MORE OR LESS.

(The remainder of this page intentionally left blank)

EXHIBIT B – LOCATION MAP

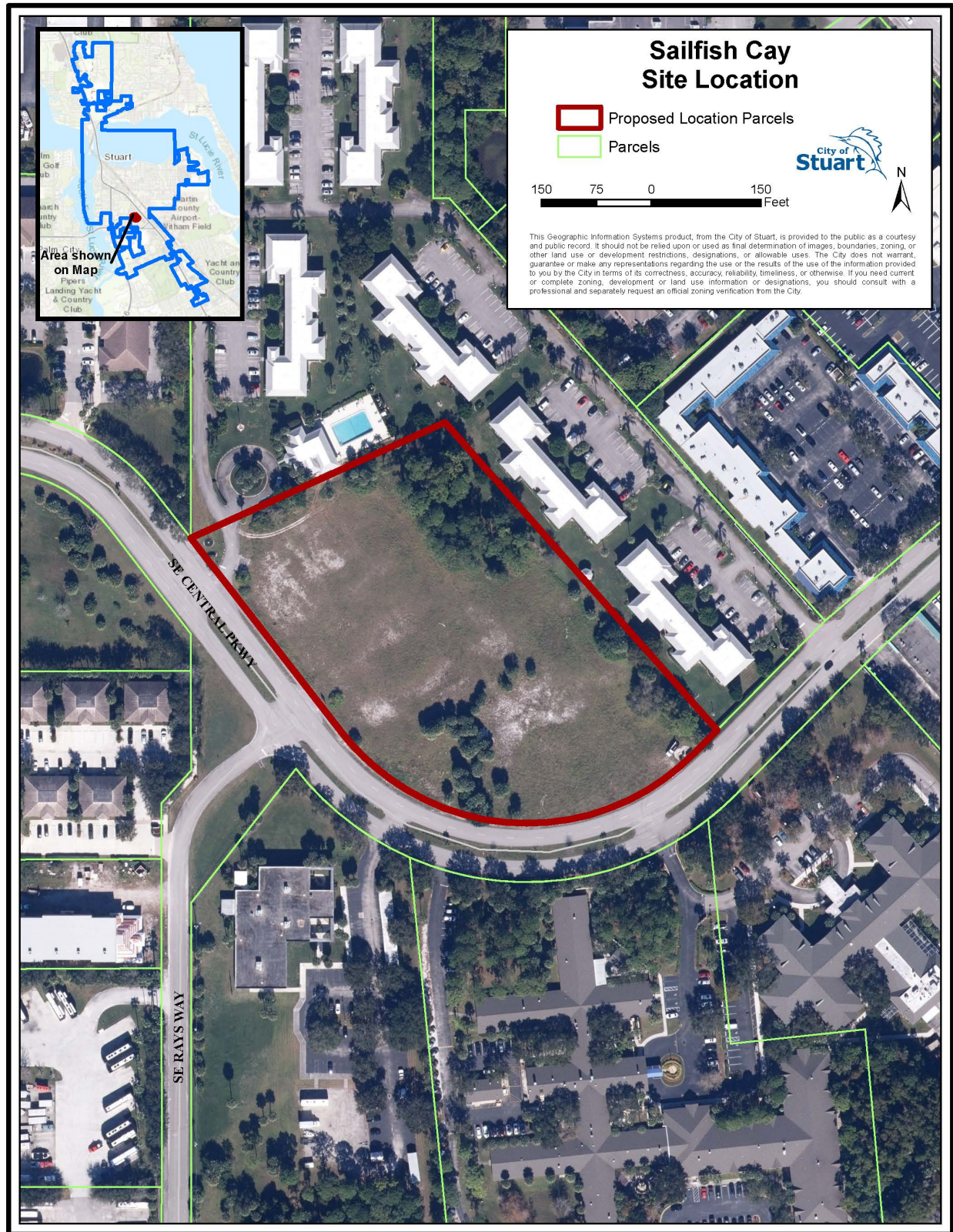


EXHIBIT C – DEVELOPMENT CONDITIONS

Approved Plans and Documents

The Sailfish Cay RPUD project and use thereof shall comply with the following plans and documents:

- a. **Site Plan, Sheet SP-1, prepared by *Litterick Landscape Architecture*, dated March 24, 2022.**
- b. **Site Details, Sheet SP-2, prepared by *Litterick Landscape Architecture*, dated March 25, 2022.**
- c. **Fire Access Exhibit, Sheet SP-3, prepared by *Litterick Landscape Architecture*, dated February 21, 2022.**
- d. **Boundary & Topographic Survey, Sheets 1-3 of 3, prepared by *Engineering Design & Construction, Inc.*, dated February 18, 2022.**
- e. **Landscape Plans, Sheets LP-1 through LP-4, prepared by *Litterick Landscape Architecture*, dated October 20, 2021.**
- f. **Tree Disposition Plan, Sheets TD-1 and TD-2, prepared by *Litterick Landscape Architecture*, prepared February 21, 2022.**
- g. **Sign Plan, Sheet MS-1, prepared by *Camilo Lopez*, dated March 30, 2022.**
- h. **Pool Cabana, Sheet A-1, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.**
- i. **Elevations, 4-Unit Building I, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.**
- j. **Elevations, 4-Unit Building Type II, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.**
- k. **Elevations, 5-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.**
- l. **Elevations, 6-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated January 10, 2022.**
- m. **Floor Plans, 7-Unit Building, Sheet A-1, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.**

- n. Elevations, 7-Unit Building, Sheet A-2, prepared by *Specialty Engineering Consultants, Inc.*, dated February 21, 2022.
- o. Unit Plans, Plan A, Plan B, and Plan C, prepared by Dewey A. LeBlanc, dated November 5, 2021.
- p. Preliminary Engineering Plan, Sheet 1 of 2, by *Engineering Design & Construction, Inc.*, dated March 30, 2022.
- q. Preliminary Engineering Plan, Sheet 2 of 2, by *Engineering Design & Construction, Inc.*, dated February 21, 2022.
- r. Lift Station Site Plan, prepared by *City of Stuart Utilities & Engineering Department*, Dated October 2021.
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- t. Lift Station Report, 10 pages, prepared by *Engineering Design & Construction, Inc.*, dated February 2022.
- u. Traffic Analysis, 28 pages, prepared by *O'Rourke Engineering & Planning*, dated February 21, 2022.
- v. Environmental Assessment, 13 pages, prepared by *Engineering Design & Construction, Inc.*, dated March 22, 2022.
- w. Drainage Calculations & Surface Water Management Report, 149 pages, prepared by *Engineering Design & Construction, Inc.*, dated March 2022.

General Conditions

1. The project build-out date shall be five (5) years from the date this ordinance is recorded in the official records book of Martin County.
2. Any modifications to the Master RPUD Site Plan less than 10% of the approved building footprint, building setbacks, gross square footage, building location, parking size, location and number of parking spaces, drainage areas, and location of landscaping may be approved by the City's Development Director, provided however, the Development Director may refer the matter to the City Commission for approval via a public hearing.
3. The maximum building height within the RPUD shall be 2 stories or 30 feet. Height shall be measured from the lowest permissible finished first floor elevation to the surface of a flat roof or to the eave of a pitched roof. The peak of a pitched roof may not exceed 15 feet above the maximum building height.

4. Prior to approval of the plat, the Applicant shall provide a sidewalk connection north of Building 8 to connect to the sidewalk in front of Building 7.
5. All work shall conform with the 7th edition of the Florida Fire Prevention Code.
6. Prior to the issuance of a Certificate of Occupancy for each building, an inspection from the Development Department is required.
7. Prior to the issuance of the first building permit, the Developer shall schedule through the Building Department a pre-construction meeting.
8. All gutters, downspouts, vents, and louvers attached to the building shall be painted to match the surface to which it is attached.
9. By acceptance of this development order, the Applicant acknowledges and agrees to abide by the terms of Florida Statute 166.033 pertaining to state and federal agency permits.
10. Consistent with F.S. 163.31801 and prior to the issuance of each building permit, the owner shall pay all applicable impact fees.

Landscaping

11. The common areas including, but not limited to, the project's cabana and pool area shall be installed with landscaping with an irrigation system of enough capacity to maintain the landscaping in a healthy growing condition.
12. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The Developer shall bear the pass-thru fee for landscape consulting fees not to exceed \$1,500.00.
13. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted to the Development Department and approved prior to the issuance of a certificate of occupancy.

Required Pervious and Open Space

14. Not less than 30% of the RPUD shall be open space that may include landscaped buffer areas as depicted on the Site & Landscape Plans, prepared by *Litterick Landscape Architecture*, as described in Exhibit C.
15. Development of the Subject Property as a RPUD shall include an impervious area of not more than 148,345 square feet or 3.4 acres (69.7% of the site).

Tree Mitigation

16. The project shall comply with the project's Tree Mitigation/Tree Disposition Chart, Sheet TD-2, prepared by *Litterick Landscape Architecture*, as referenced in Exhibit "C".

Prior to Issuance of Site Permits

17. Prior to the issuance of the first site permit, the Applicant shall provide a digital boundary survey and civil plan.
18. Prior to the issuance of the first site permit, the Civil Plans shall be reviewed and approved by all applicable City departments and consultants, if deemed necessary by the City.
19. Prior to the issuance of the first site permit, all regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers, shall be obtained by the applicant and copies provided to the City.
20. Prior to the issuance of the first site permit, the applicant shall submit to the City for review and approval a revised drainage report with: (1) survey data showing the elevations of the roads and parking of Towne Park North development, and (2) a simulation model utilizing this data for the 10-year, 1-day storm to demonstrate that there will be no flooding on the Towne Park North site as a result of the Sailfish Cay development. If the submitted simulation model shows any adverse drainage effects on the Towne Park North site, the Applicant shall provide to the City for review and approval revised development plans that correct this condition.
21. Prior to the issuance of the first site permit, the applicant shall submit to the City for review and approval a stormwater model to reflect full retention pond recovery at 72 hours. If the submitted simulation model does not show full recovery, the Applicant shall provide to the City for review and approval revised development plans that correct this condition.
22. Prior to issuance of the first site permit, the applicant shall provide to the City Development Department a Stormwater Management System Operation and Maintenance Plan for review and approval. The Plan shall provide general maintenance requirements and require that inspection of all bioswales occur on a quarterly basis and following a storm event. If standing water persists longer than 72 hours after a normal summer rain event, or if wetland vegetation such as cattails grow in the pond, the stormwater facility must be repairs, using such methods as such as scarifying or raking the pond bottom, or removing the bottom foot (12 inches) of soil and replacement with clean sand.

23. All development activities shall comply with the City's Concurrency Management System prior to the issuance of building permits.

Development and Construction

24. Prior to the issuance of a Certificate of Occupancy for each building, an inspection from the Development Department is required.
25. Prior to the issuance of the first building permit, the Applicant shall schedule through the Building Department a pre-construction meeting.
26. Any tree proposed for onsite relocation that does not survive shall be replaced at a 1/1 ratio per caliper inch, or as otherwise approved by the City's Development Director.
27. Prior to the issuance of the Certificate of Occupancy for each building, all new ground-mounted and rooftop mechanical equipment shall be screened from view, unless otherwise exempted by the City Fire Marshal or the Public Works Department.
28. At no time shall staging of construction vehicles and/or service vehicles occur within a public right-of-way.
29. The Developer, successors, or assigns shall be responsible for the maintenance of all onsite landscaping, stormwater maintenance, concrete/asphalt/pavers, and all other site elements approved within the Development Documents.
30. The Developer shall install landscaping at the development's entry and within all perimeter buffers as shown on the landscaping plans prior to the first certificate of occupancy for a residential unit.
31. The proposed cabana and pool landscaping shall be completed before the certificate of occupancy has been issued for the sixth (6th) residential unit or within 12 months from the start of any development activity, whichever occurs first.
32. Prior to the issuance of the first building permit, the Developer shall eradicate all invasive vegetation from the entire site and shall subsequently request an inspection from the City.
33. Prior to first certificate of occupancy of the last building to be constructed, the Developer shall provide an engineer's written confirmation attesting that the RPUD's stormwater system is in place and functioning in compliance with all approved plans and specifications.
34. Erosion and dust control measures to be implemented during construction shall be provided on the civil plans and submitted during site permit review. Water trucks shall be provided by the Developer as necessary during construction in order to reduce the dust generated on-site.
35. All utility improvements constructed by the Developer within City's right-of-way, shall be constructed in a manner and form acceptable to the City's Utilities & Engineering department.

36. The project's native planting schemes at the lake and within the bioswales will be designed using Low Impact Development "(LID) Techniques as described in the University of Florida IFSA Extension publication LID Practices: Integration Wetlands and Enhancing Storm water Basins".
37. Temporary or freestanding storage units are prohibited on the property once construction is complete.
38. All on-site lighting shall be cast downward and shielded from adjacent properties.
39. Site work including but not limited to land preparation, lake excavation, clearing and grading, drainage and water, sewer and irrigation lines, and private road shall be reviewed and approved by the City's Public Works department and the City's engineering consultant prior to permitting. Specifically, but not limited to:
 - a. Private Road (entry and within the development)
 - b. Central Parkway right-of-way
 - c. All public and private sidewalks
 - d. Proposed Lake & Bioswales
 - e. Cabana and Pool

Signage

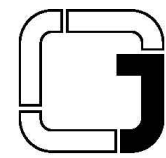
40. All signs throughout the PUD must have a consistent treatment, as to number, location, size, height, lighting, and materials with a unified theme throughout the Planned Unit Development. The development's monument sign shall adhere to the Sign Plan prepared by *Camilo Lopez* referenced in Exhibit C.

Platting- HOA Requirements & Future Amendments

41. Plat approval per Section 11.01.06.1 shall occur prior to any future development permit for any development activity. No permits for development activities including, but not limited to, site work and infrastructure, shall be issued by the City unless and until a plat has been approved by the City Commission and recorded in the public records.
42. The plat shall provide an easement for the Towne Park monument sign in favor of the Towne Park Homeowner's Association (HOA) for maintenance and to allow the sign to remain on the Sailfish Cay RPUD project site.
43. The plat shall provide a 10-foot maintenance easement for the lake retention wall located on the south side of the lake.
44. The property owner shall provide easements for licensed cable services.
45. The PUD may be conveyed to 60 separate homeowners without further amendment to this Ordinance. Prior to application for any development, the Applicant/Developer shall form a HOA (Homeowners Association) or other similar entity acceptable to the City Attorney,

which shall be singularly responsible for the perpetual maintenance of the common site, right-of-way road shoulder and median. The HOA declarations shall also include restrictions regarding boats, boat trailers, sheds, etc.

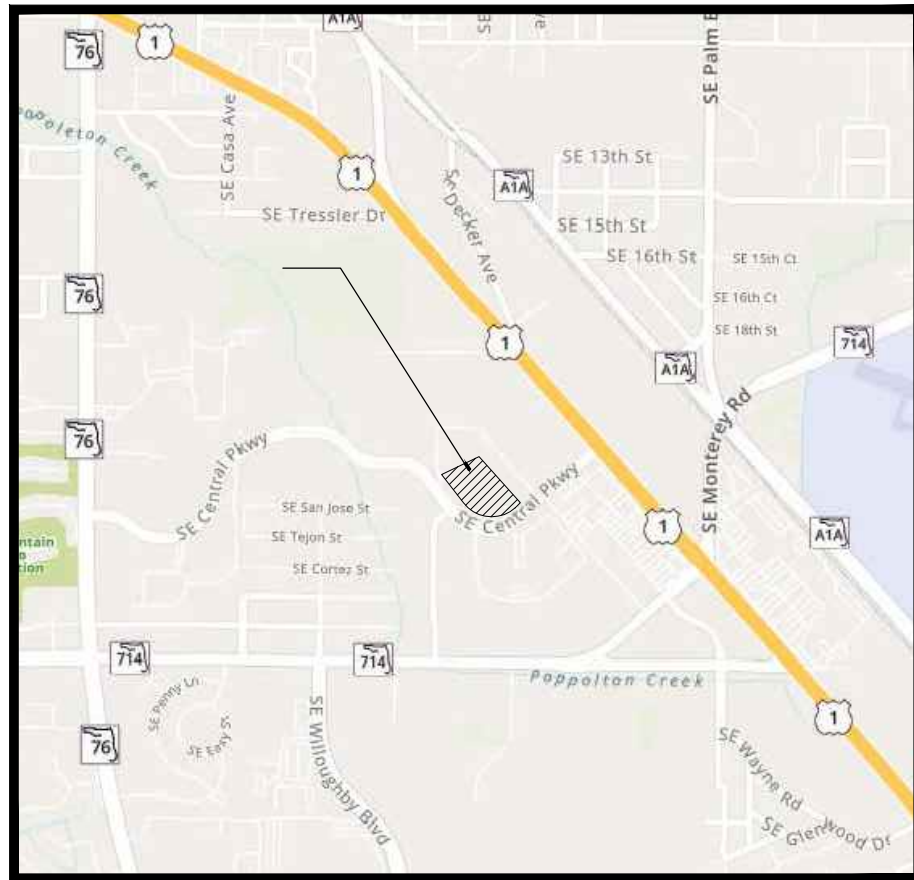
46. City of Stuart waste receptacles, including recycle shall be stored in garages only. The developments HOA shall be responsible for enforcing this waste receptable policy. The receptacles at the amenity areas shall be stored inside the clubhouse or outside in an approved enclosure. The development's HOA shall be responsible for enforcing this waste receptable policy. The property-owners association shall pay for initial bins (one trash bin and one recycle bin) for each unit and the pool cabana for a total of 61 trash bins and 61 recycle bins at the time of permitting. The City will provide a single bill to the HOA for trash pick-up.
47. The Developer and home-owners association shall request and consent to law enforcement entry to property and enforcement of state and city laws to include traffic enforcement. Additionally, the City of Stuart Police Department shall have authority to enforce city laws and all conditions of development of Ordinance 2487-2022.
48. No yard waste shall be placed in the street.
49. All new fences shall be maintained by the project's Home-Owners Association.
50. Any applications to amend this Ordinance shall be limited to the Developer or the Home-Owners Association.
51. The Home-Owner's Association shall regulate any permits for guest parking.



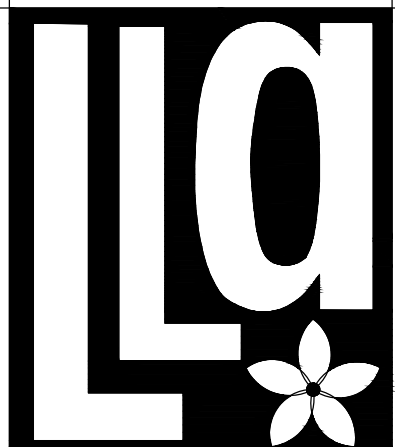
JOHNSTON GROUP

DEVELOPMENT & CONSTRUCTION

224 Chimney Corner Lane, Suite 3032
Jupiter, Florida 33458
561-691-4552



VICINITY MAP



Litterick
Landscape
Architecture

2740 SW Martin Downs Blvd. #199
Palm City, FL 34990
561-719-3876
JasonLA1677@yahoo.com

Sailfish Cay

Stuart, Florida

751 Central Parkway

SITE DATA:

APPLICATION/PROPERTY/LAND USE DATA

NAME OF APPLICATION: SAILFISH CAY
PARCEL ID: 09-38-41-011-00001-1
PROPOSED FUTURE LAND USE: MULTIFAMILY
ZONING DESIGNATION: RPUD
EXISTING USE: VACANT
PROPOSED USE: 60 TOWNHOME UNITS

DEVELOPMENT DATA

TOTAL SITE AREA: 212,719.8 S.F. (4.88 ACRES)
GROSS DENSITY: 12.3 UNITS PER ACRE (60 UNITS)
BUILDING HEIGHT: 2-STORIES (30')
BUILDING COVERAGE: 33.4% (70,943.63 S.F.)

OPEN SPACE

OPEN SPACE REQUIRED: 63,815.94 S.F. (30%)
OPEN SPACE PROVIDED: 64,594.58 S.F. (30.4%)

NATIVE VEGETATION

REQUIRED AREA: 53,180 S.F. (25%)
PROVIDED AREA: 60,252.72 S.F. (28.3%)

PERVIOUS AREA

PERVIOUS/LANDSCAPE AREA: 60,252.72 S.F. (28.3%)
PERVIOUS PAVER CREDIT: 4,122.5 S.F. (50% OF ALL PERVIOUS PAVERS/CONC.)
TOTAL PERVIOUS AREA: 64,375.22 S.F. (30.3% OF SITE)

IMPERVIOUS AREA

TOTAL DEVELOPED AREA: 70,943.63 S.F. (31.6%)
BUILDINGS: 54,156.07 S.F. (25.5%)
PAVMT., SIDEWALKS, PADS, ETC.: 16,787.56 S.F. (7.9%)
PERVIOUS PAVER CREDIT: 4,122.5 S.F. (50% OF ALL PERVIOUS PAVERS/CONC.)
LAKE AREA (T.O.B.): 27,367.38 S.F. (12.2%)
TOTAL IMPERVIOUS AREA: 148,344.58 S.F. (69.7%)

UNIT BREAKDOWN

3 - BEDROOM UNITS: 38 UNITS
4 - BEDROOM UNITS: 22 UNITS
TOTAL UNITS: 60 UNITS

PARKING DATA:

USE	UNITS	PARKING RATE	REQUIRED PARKING
MULTI-FAMILY RESIDENTIAL	60	2 SPACES/UNIT	120 SPACES
TOTAL PARKING REQUIRED:			120 SPACES
TOTAL PARKING PROVIDED:			*157 SPACES
HANDICAP SPACES REQ'D:			1 SPACE
HANDICAP SPACES PROV.:			1 SPACE
BIKE PARKING REQUIRED:			**6 BIKE RACKS
BIKE PARKING PROVIDED:			6 BIKE RACKS

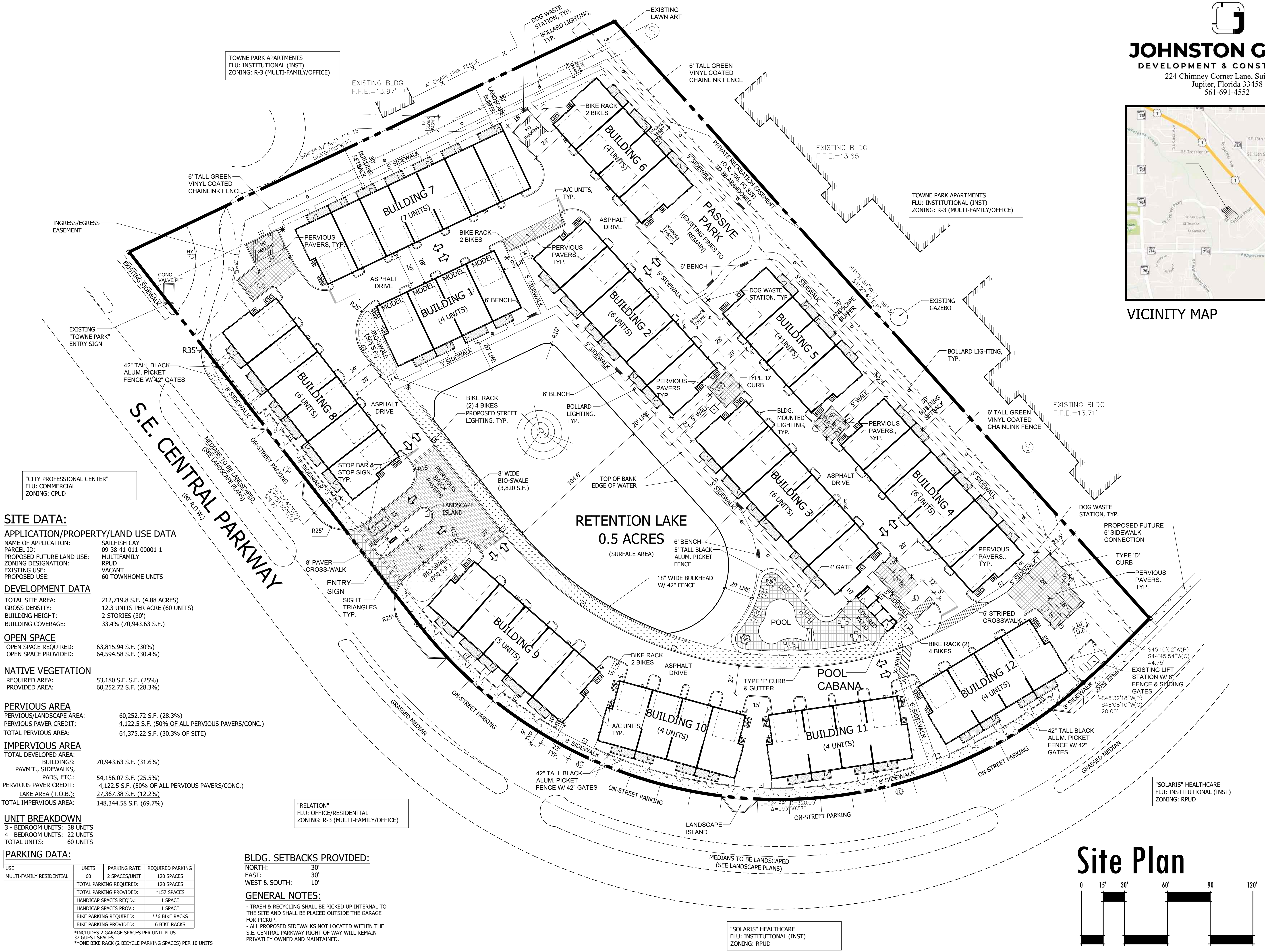
*INCLUDES 2 GARAGE SPACES PER UNIT PLUS 37 GUEST SPACES
**ONE BIKE RACK (2 BICYCLE PARKING SPACES) PER 10 UNITS

BLDG. SETBACKS PROVIDED:

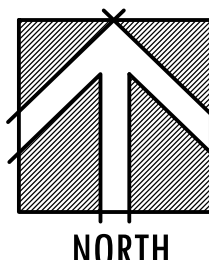
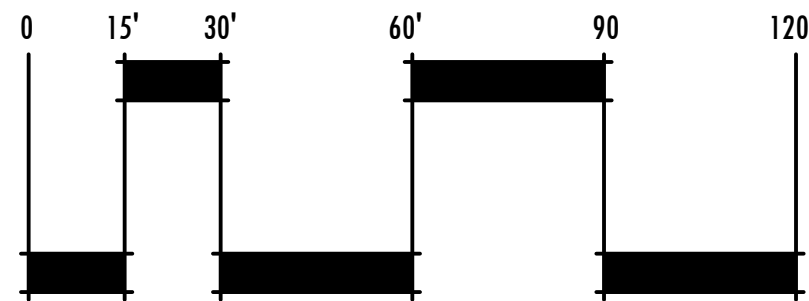
NORTH: 30'
EAST: 30'
WEST & SOUTH: 10'

GENERAL NOTES:

- TRASH & RECYCLING SHALL BE PICKED UP INTERNAL TO THE SITE AND SHALL BE PLACED OUTSIDE THE GARAGE FOR PICKUP.
- ALL PROPOSED SIDEWALKS NOT LOCATED WITHIN THE S.E. CENTRAL PARKWAY RIGHT OF WAY WILL REMAIN PRIVATELY OWNED AND MAINTAINED.



Site Plan



Landscape Architect of Record

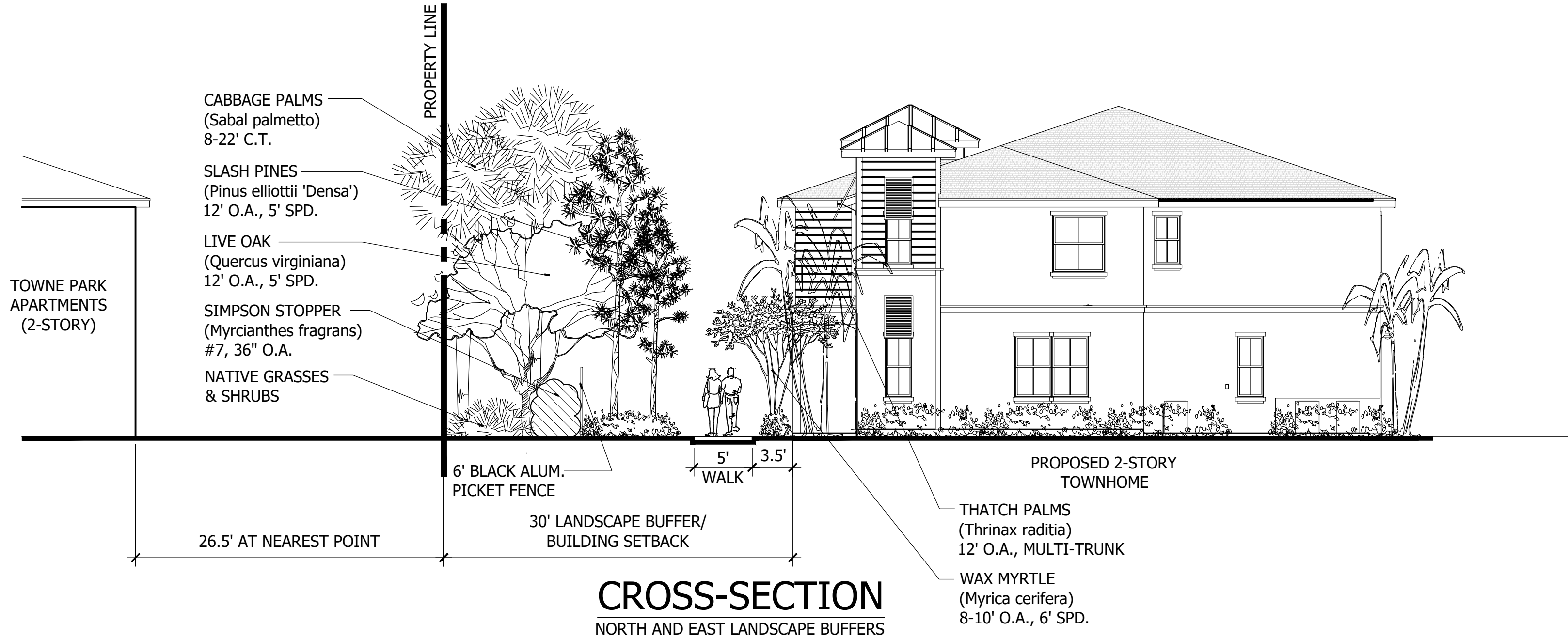
Jason M. Litterick, RLA
(LA0001677)

Scale: 1" = 30'-0"

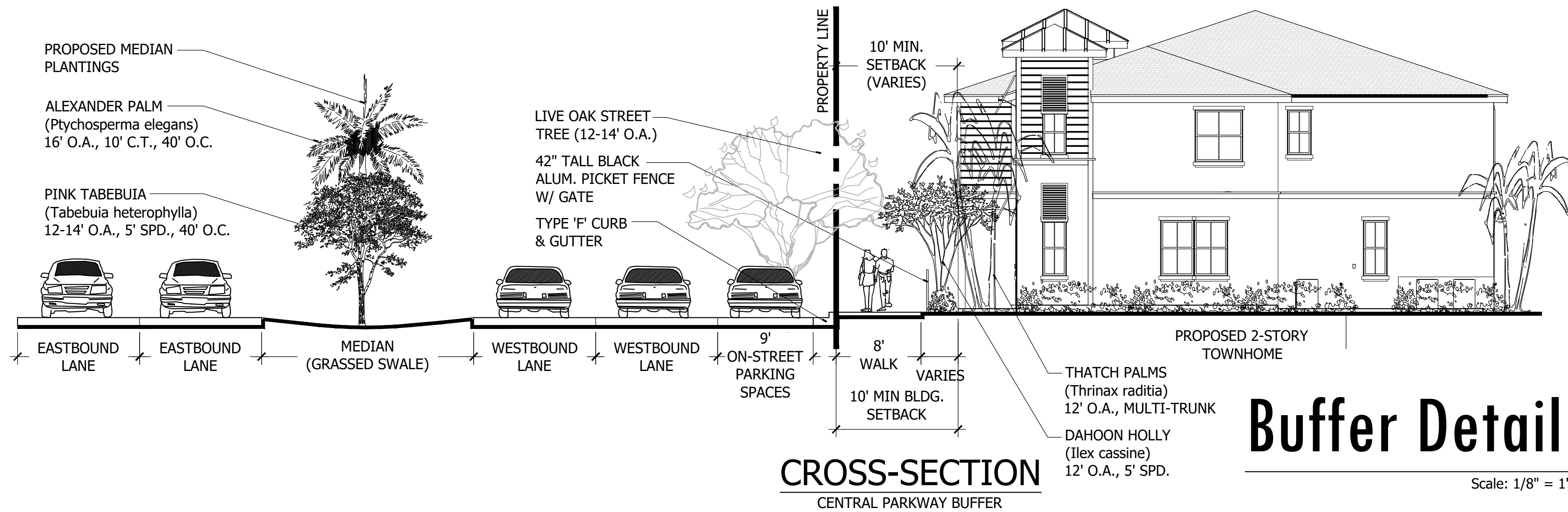
Designed: JML
Drawn: JML
Approved: JML
Date: 11/5/21
Job no.:
Revisions: 1/7/22
2/21/22
3/24/22

Sheet No.

SP-1



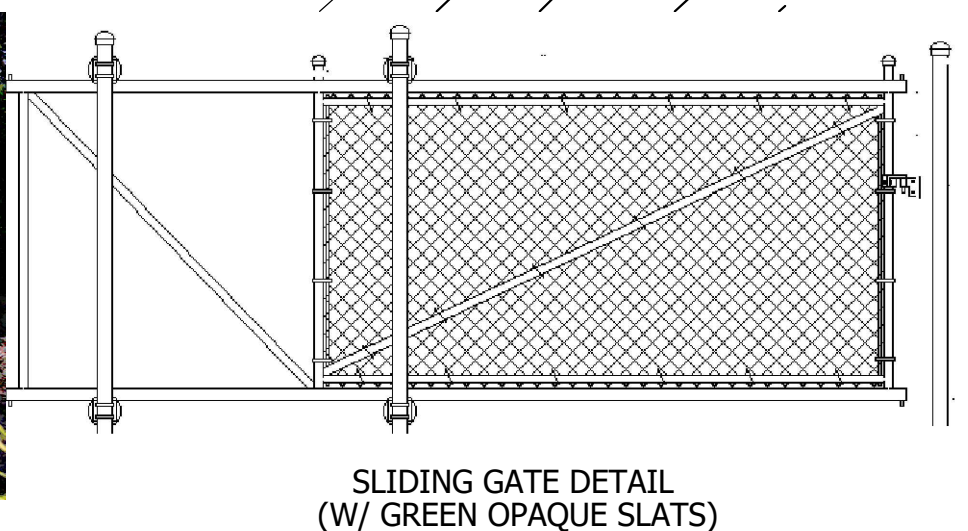
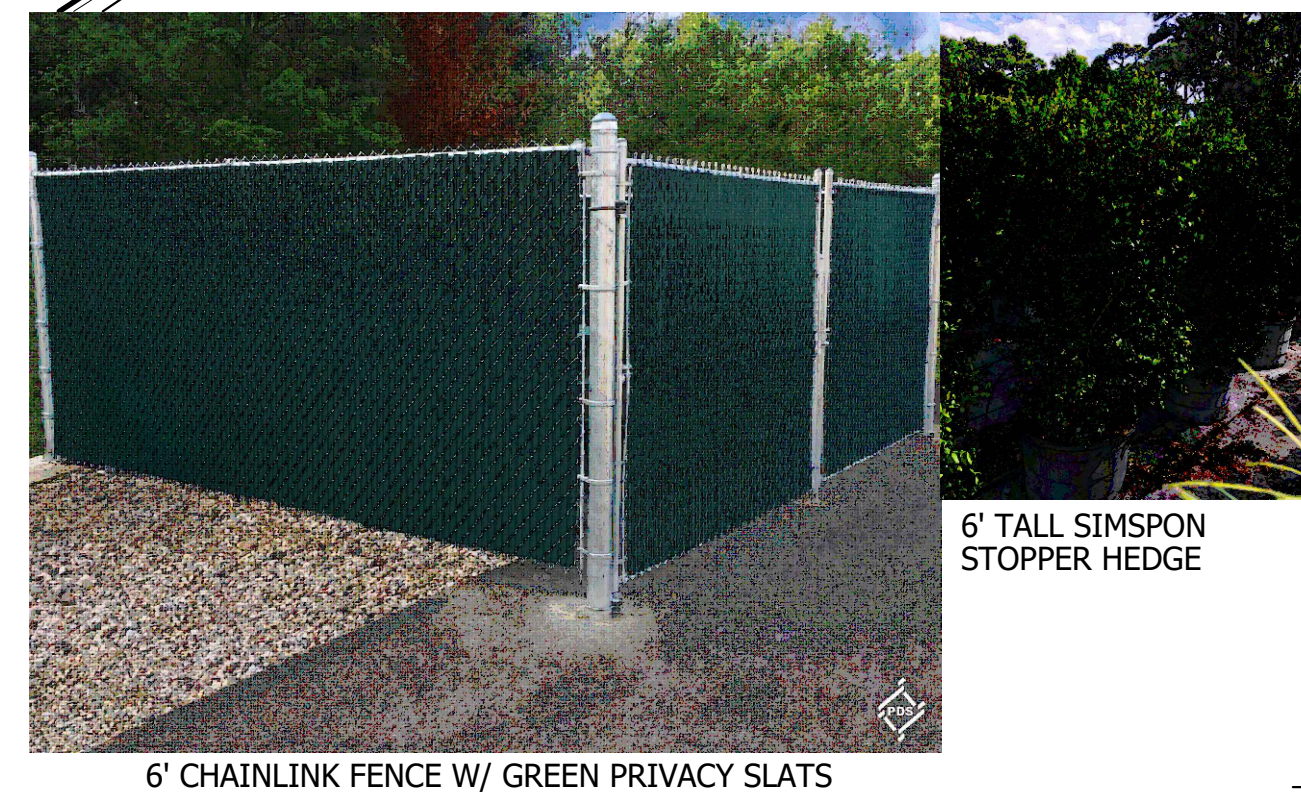
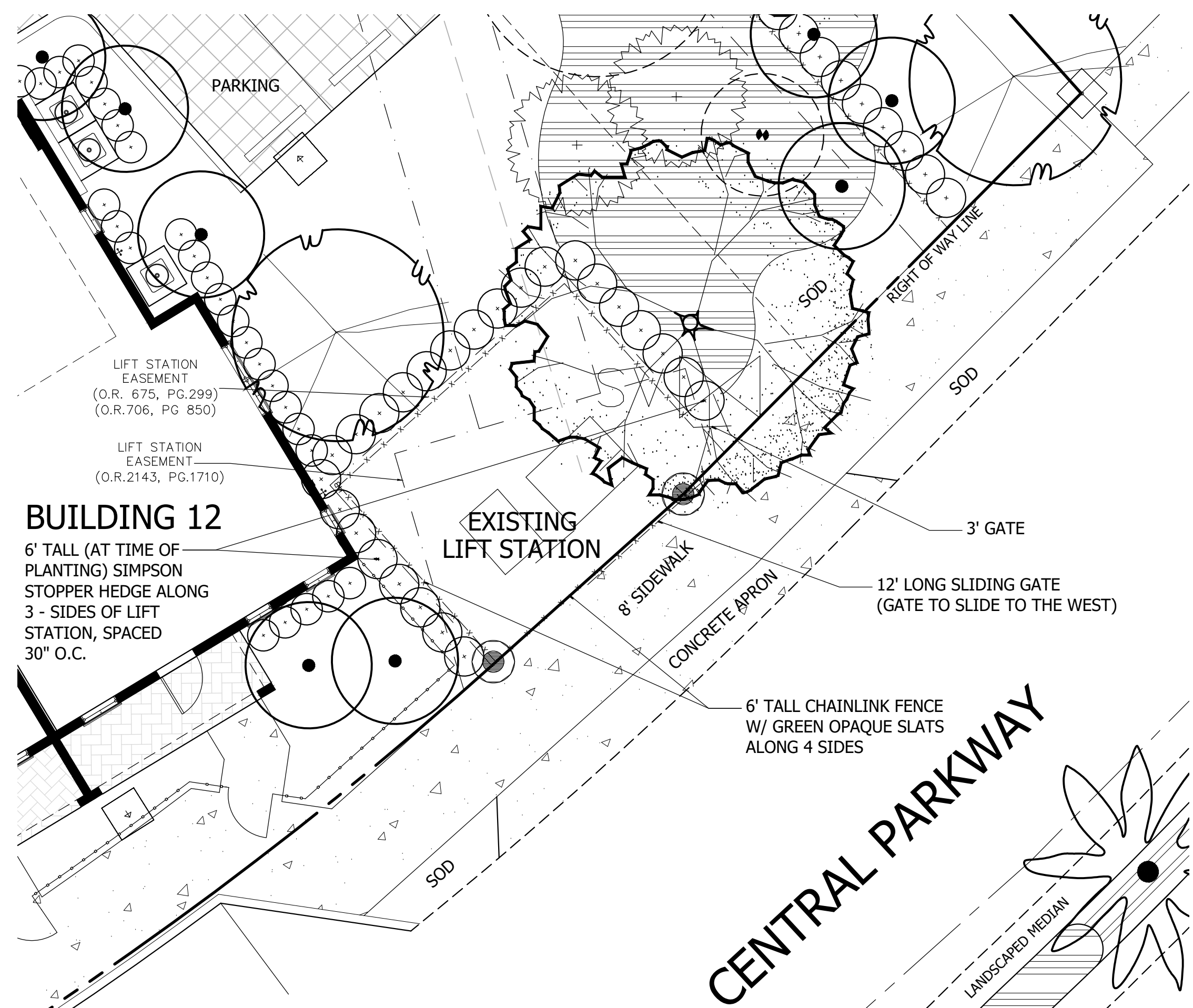
CROSS-SECTION
NORTH AND EAST LANDSCAPE BUFFERS



CROSS-SECTION
CENTRAL PARKWAY BUFFER

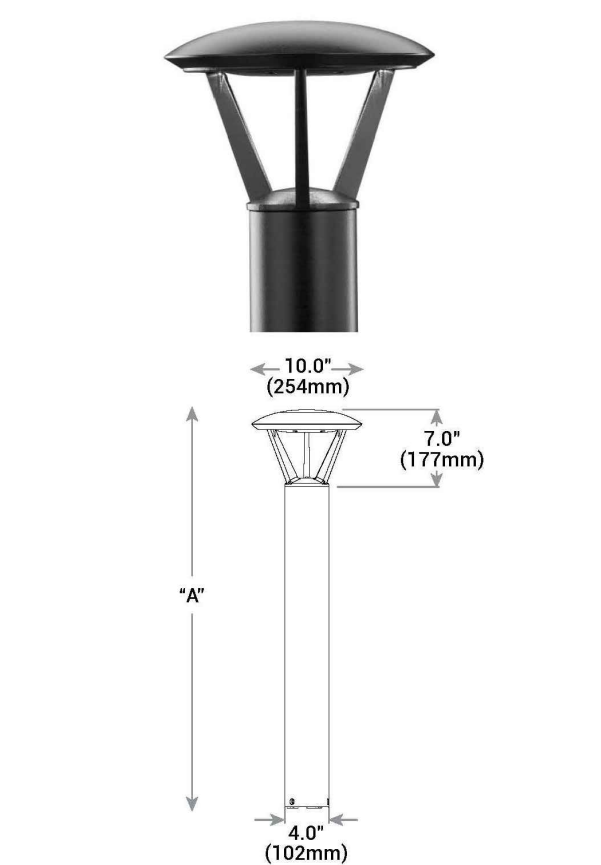
Buffer Details

Scale: 1/8" = 1'-0"



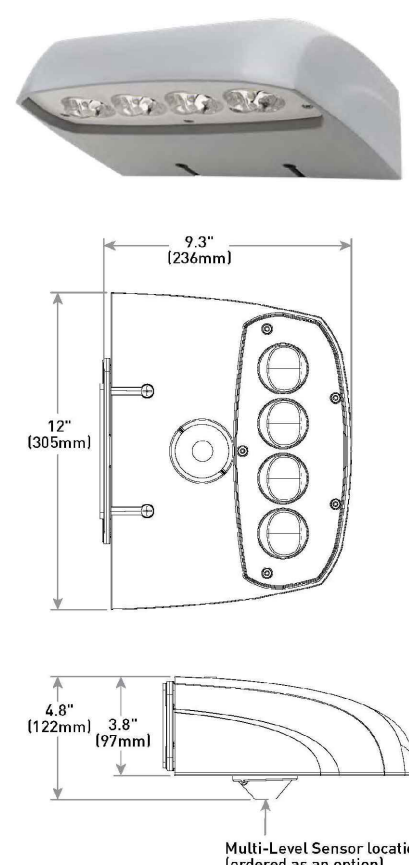
Lift Station Detail

Scale: 1/8" = 1'-0"



CREE LIGHTING "THE EDGE" SERIES
LED PATHWAY LUMINAIRE, 42" TALL

BOLLARD DETAIL
Not to Scale

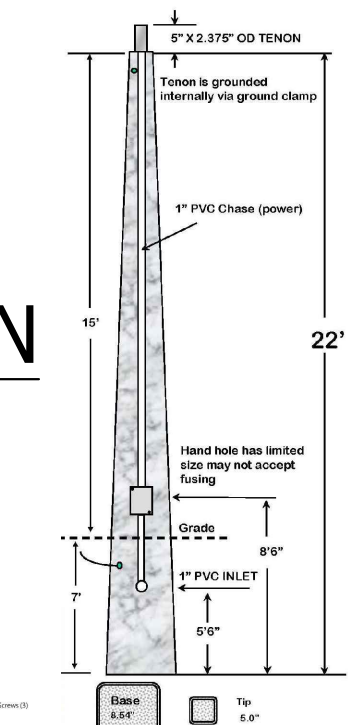
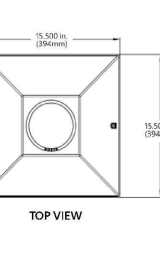


CREE LIGHTING "XSP" SERIES
LED WALL MOUNT LUMINAIRE

WALL SCONCE DETAIL
Not to Scale



'GE CURRENT' EVOLVE SERIES
LED POST TOP FIXTURE



'UTILITY STRUCTURES INC.'
PRESTRESSED CONC. POLE

STREET LIGHT DETAIL
Not to Scale

DRIVEWAY, POOL DECK &
PATIO PAVERS



DRIFTWOOD
TREMRON 4" X 8" CONCRETE PAVERS
COLOR: DRIFTWOOD
PERMEABLE PAVERS
COLOR: DRIFTWOOD



4X8 PERMEABLE

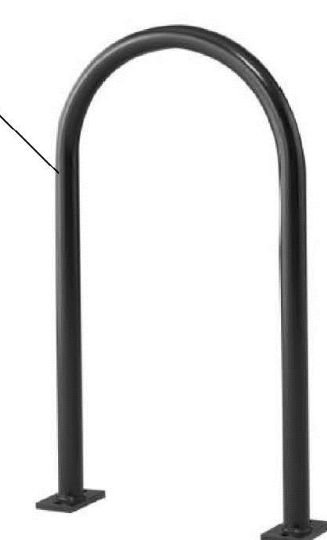
PAVER DETAILS
Not to Scale



WABASH VALLEY 6' RECYCLED PLASTIC BENCH

BENCH DETAIL
Not to Scale

2-3/8" ROUND TUBING

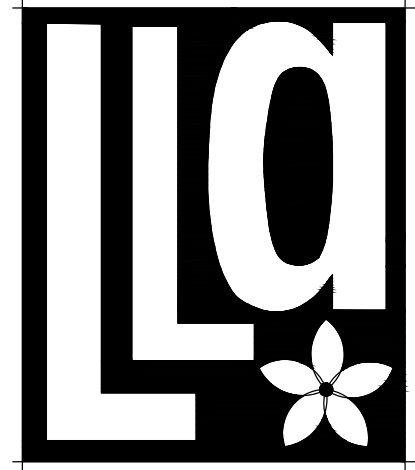


PRODUCT: 'U' RACK -U238
DESCRIPTION: BLACK U-RACK BIKE RACK
2 BIKE, SURFACE MOUNT

BIKE RACK DETAIL
SCALE: NOT TO SCALE

Site Details

Scale: As Noted



Litterick
Landscape
Architecture

2740 SW Martin Downs Blvd. #199
Palm City, FL 34990
561-719-3876
JasonLA1677@yahoo.com

Sailfish Cay

Stuart, Florida

751 Central Parkway

Landscape Architect of Record

Jason M. Litterick, RLA
(LA0001677)

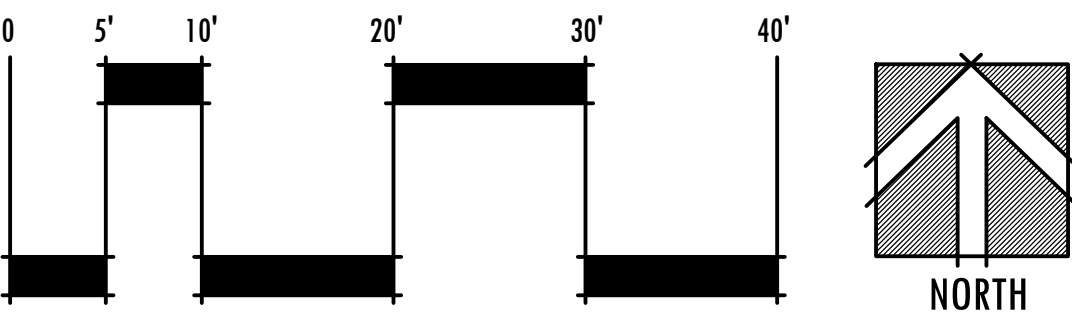
Scale: As Noted

Designed:	JML
Drawn:	JML
Approved:	JML
Date:	11/5/21
Job no.	
Revisions:	11/22/21
	1/7/22
	2/21/22
	3/25/22

Sheet No.

SP-2

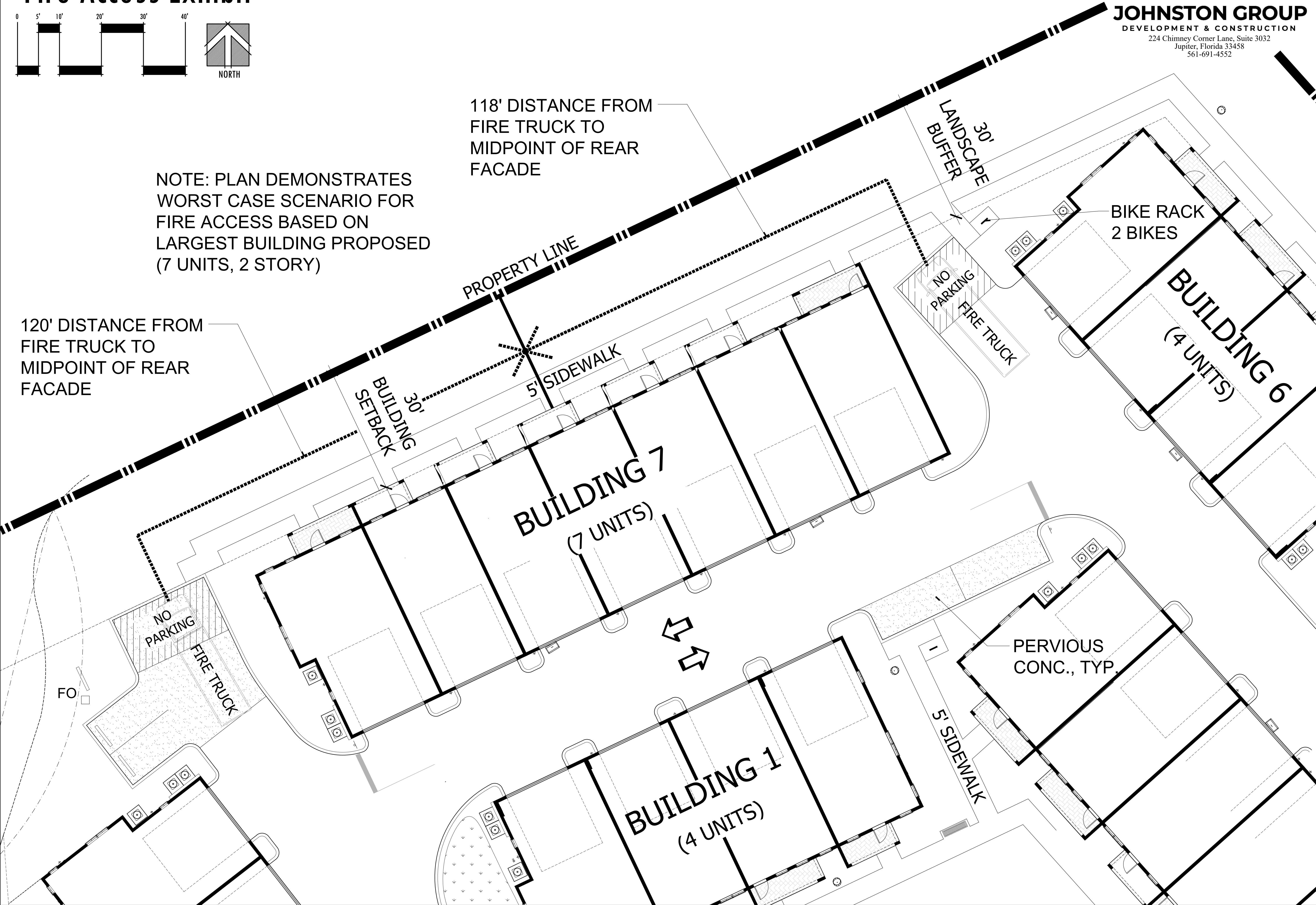
Fire Access Exhibit



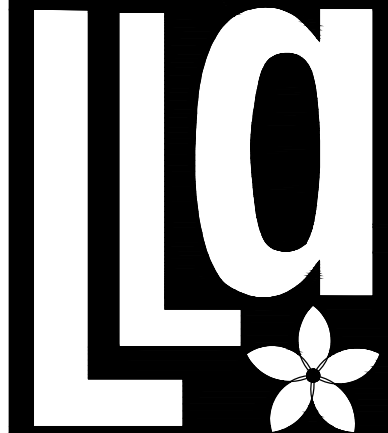
NOTE: PLAN DEMONSTRATES
WORST CASE SCENARIO FOR
FIRE ACCESS BASED ON
LARGEST BUILDING PROPOSED
(7 UNITS, 2 STORY)

120' DISTANCE FROM
FIRE TRUCK TO
MIDPOINT OF REAR
FACADE

118' DISTANCE FROM
FIRE TRUCK TO
MIDPOINT OF REAR
FACADE



JOHNSTON GROUP
DEVELOPMENT & CONSTRUCTION
224 Chimney Corner Lane, Suite 3032
Jupiter, Florida 33458
561-691-4552



**Litterick
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Sailfish Cay
751 Central Parkway
Stuart, Florida

Landscape Architect of Record

Jason M. Litterick, RLA
(LA0001677)

Scale: 1" = 10'

Designed: JML
Drawn: JML
Approved: JML
Date: 1/7/22
Job no.
Revisions: 2/21/22

Sheet No.

SP-3

BOUNDARY & TOPOGRAPHIC SURVEY

FOR: CYPRESS HOLDINGS, LLC.

SCHEDULE B-II ITEMS

TITLE COMMITMENT PREPARED BY
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT # 1094514 A1
COMMITMENT DATE: MAY 23, 2021, AT 11:00 PM

4. ANY LIEN PROVIDED BY COUNTY ORDINANCE OR BY CHAPTER 159, F.S., IN FAVOR OF ANY CITY, TOWN, VILLAGE OR PORT AUTHORITY, FOR UNPAID SERVICE CHARGES FOR SERVICES BY ANY WATER SYSTEMS, SEWER SYSTEMS OR GAS SYSTEMS SERVING THE LAND DESCRIBED HEREIN; AND ANY LIEN FOR WASTE FEES IN FAVOR OF ANY COUNTY OR MUNICIPALITY.
AFFECTS SUBJECT PROPERTY; NOT A SURVEY MATTER.
5. RIGHTS OF THE LESSEES UNDER UNRECORDED LEASES.
AFFECTS SUBJECT PROPERTY; NOT A SURVEY MATTER.
6. ALL MATTERS CONTAINED ON THE PLAT OF TOWNE PARK, AS RECORDED IN PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. **SHOWN ON SURVEY.**
10. EASEMENT FOR PERRY CABLE TV CORP. RECORDED IN O.R. BOOK 548, PAGE 987, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. **AFFECTS SUBJECT PROPERTY; BLANKET IN NATURE.**
11. SANITARY SEWER LIFT STATION EASEMENT RECORDED IN O.R. BOOK 675, PAGE 299, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. **SHOWN ON SURVEY.**
12. SEWER, WATER AND LIFT STATION EASEMENT AGREEMENT RECORDED IN O.R. BOOK 706, PAGE 850, AS AFFECTED BY INSTRUMENT RECORDED IN O.R. BOOK 2003, PAGE 1824, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
EASEMENT #1 SHOWN ON SURVEY, EASEMENT #3 TERMINATED/ABANDONED BY O.R. BOOK 2003, PAGE 1826.
13. ACCESS, INGRESS AND EGRESS AND UTILITY EASEMENT AGREEMENT WITH TOWNE PARK NORTH CONDOMINIUM RECORDED IN O.R. BOOK 706, PAGE 833, AS AFFECTED BY INSTRUMENT RECORDED IN O.R. BOOK 2003, PAGE 1824, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA. **EASEMENT TERMINATED/ABANDONED.**
14. RECREATION EASEMENT AGREEMENT RECORDED IN O.R. BOOK 706, PAGE 839, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
LICENSE AGREEMENT TERMINATED BY O.R. 3247, P.G. 2148.
15. DRAINAGE EASEMENT AGREEMENT RECORDED IN O.R. BOOK 706, PAGE 859 AS AFFECTED BY AGREEMENT RECORDED IN O.R. BOOK 2003, PAGE 1822, MARTIN COUNTY, FLORIDA. **TO BE RELOCATED.**
17. RESOLUTION NUMBER 43-06 RECORDED IN O.R. BOOK 2143, PAGE 1710, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
SHOWN ON SURVEY.
18. ORDINANCE NUMBER 2106-07 RECORDED IN O.R. BOOK 2285, PAGE 943, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.
AFFECTS SUBJECT PROPERTY; BLANKET IN NATURE.

CERTIFIED TO:

- JOHNSTON GROUP DEVELOPMENT & DESIGN, INC.
- 751 SE CENTRAL, LLC.



MARTIN COUNTY, FLORIDA
VICINITY MAP
NO SCALE

SYMBOL & ABBREVIATION LEGEND:

(A) AIR RELEASE VALVE	DIP F. DUCTILE IRON PIPE EAST/EASTING	HYD H. HYDRANT	POP P. PERMANENT CONTROL POINT	S.L.C. S.T.A. ST. LUCIE COUNTY STATION
AL ARC LENGTH	EDW ED. EDGE OF WATER	IN INCH	PRM PERMANENT REFERENCE MONUMENT	STA STORMWATER DRAINAGE MANHOLE
ASPH ASPHALT	EB [] ELECTRIC BOX	INV INVERT	P.B. PLAT BOOK	STREET SIGN
BFP BACK FLOW PREVENTER	EH [] ELECTRIC HAND HOLE (EH)	IP IRON PIPE	(P) PLAT DATA	
BM [] BENCHMARK (BM)	EM [] ELECTRIC METER	IR IRON ROD	P.O.B. POINT OF BEGINNING	
BIKE BIKE RACK	EM [] ELECTRICAL PANEL	IR/C IRON ROD AND CAP	P.O.C. POINT OF COMMENCEMENT	TELEPHONE RISER BOX
CATV [] CABLE RISER	EL/ELEV. ELEVATION	L LENGTH	P.C.C. POINT OF COMPOUND CURVE	TOE TOE OF SLOPE
(C) CALCULATED	FEMA FEDERAL EMERGENCY MANAGEMENT AGENCY	★ LIGHT POST	P.C. POINT OF CURVATURE	TOB TOP OF BANK/BERM
[] CATCH BASIN	F.O. FIBER OPTIC	MAG/D MAG NAIL MAG BRAND NAIL	P.T. POINT OF TANGENCY	T.O.N. TOP OF NUT
CLF CENTERLINE	FOHH FIBER OPTIC HAND HOLE	(M) MAILBOX	P.O.T. POINT OF TERMINUS	X 0.0 TOPOGRAPHIC DATA (SOFT SURFACE)
CCR CERTIFIED CORNER RECORD	FIBER FIBER OPTIC MARKER	M.C. MARTIN COUNTY	PSL POLYVINYL CHLORIDE	X 0.00 TOPOGRAPHIC DATA (HARD SURFACE)
CLF CHAIN LINK FENCE	FIBER RISER [] FIBER OPTIC RISER	M.H.W. MEAN HIGH WATER LINE	PLS PROFESSIONAL LAND SURVEYOR	TWN TOWNSHIP
CHD CHORD	(M) FINISHED FLOOR ELEVATION	M.L.W. MEAN LOWER WATER LINE	R RADIUS	① TRAFFIC HANDHOLD
CO CLEAN OUT	F.F.E. FLORIDA DEPARTMENT OF TRANSPORTATION	★ METAL LIGHT POST	RGE RANGE	TSCB TRAFFIC SIGNAL CONTROL BOX
COMM COMMUNICATION RISER	FDOT FLORIDA DEPARTMENT OF TRANSPORTATION	☆ METAL POWER POLE	RTK REAL TIME KINEMATIC	TYP TYPICAL
CONC CONCRETE	FPL FOOT	MON MONUMENT	RW RECLAIMED WATER VALVE	U.E. UTILITY EASEMENT
CONC CONCRETE LIGHT POST	FM FORCE MAIN	NGVD29 NORTH AMERICAN VERTICAL DATUM OF 1929	R/C ROD AND CAP	UNK UNKNOWN
CPP CONCRETE POWER POLE (CPP)	FND FOUND	N/D NON DESCRIPT NAIL AND DISK	RISER RISER BOX	UNKNOWN HANDHOLD
CONC CONCRETE POWER POLE W/STREET LIGHT	FO FT. SQUARE FEET	N.R. NON RADIAL	SV [] SANITARY VALVE	UNKNOWN TYPE MANHOLE
CONC CONCRETE SIGNAL LIGHT POLE	GAS [] GAS VALVE	NAVDBB NORTH OR NORTHING NUMBER	SEC SECTION	VCP VITRIFIED CLAY PIPE
CMP CORRUGATED METAL PIPE	GIS GEOGRAPHIC INFORMATION SYSTEMS	N.O. NORTH OR NORTHING	OP PROPERTY CORNER	WM WATER METER
CURB CURB INLET	GND GROUND	O.R.B. OFFICIAL RECORDS BOOK	RIGHT-OF-WAY CONTROL SIGN	WV [] WATER VALVE (WV)
DL DECORATIVE LIGHT POST	GUY GUY WIRE ANCHOR	PG PAGE	S SOUTH	W WELL
D.B. DEED BOOK	(E) HANDICAP	PCN PARCEL CONTROL NUMBER	SPGOT SPOT	WF WOOD FENCE
Δ DELTA/CENTRAL ANGLE	HDPE HIGH DENSITY POLYETHYLENE PIPE	PK NAIL PARKER-KALON NAIL	SPGOT SPOT	WPS WOOD POLE STREET LIGHT
Ø DIAMETER (DIA.)	HWF HIGH WIRE FENCE	PK/D PARKER-KALON NAIL & DISK	SPRINKLER VALVE	WOOD POWER POLE
DM DRAINAGE MANHOLE				

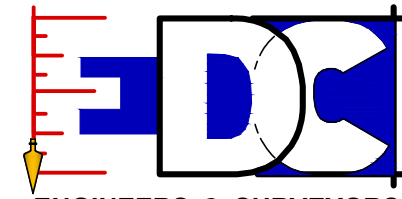
LEGAL DESCRIPTION:

TOWNE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE 85, PUBLIC RECORDS OF MARTIN COUNTY FLORIDA.

CONTAINING 4.88 ACRES, MORE OR LESS.

SURVEYORS NOTES AND REPORT:

- REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER. THIS SURVEY CANNOT BE TRANSFERRED OR ASSIGNED WITHOUT THE SPECIFIC WRITTEN PERMISSION OF ENGINEERING, DESIGN AND CONSTRUCTION, INC. IT IS A VIOLATION OF CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, TO ALTER THIS SURVEY WITHOUT THE EXPRESS PRIOR WRITTEN CONSENT OF THE SURVEYOR. ADDITIONS AND/OR DELETIONS MADE TO THE FACE OF THIS SURVEY WILL MAKE THIS SURVEY INVALID.
- THE LAST DATE OF FIELD WORK WAS JULY 15, 2021.
- CURRENT DESCRIPTION(S) SHOWN HEREON PROVIDED BY: THE CLIENT. A TITLE SEARCH FOR THIS PROPERTY HAS BEEN ABSTRACTED TO SHOW MATTERS OF RECORD SUCH AS EASEMENTS OR OTHER ENCUMBRANCES OR RESTRICTIONS.
- THE EXPECTED USE OF THE LAND, AS CLASSIFIED IN CHAPTER 5J-17.050-053, FLORIDA ADMINISTRATIVE CODE, IS "COMMERCIAL/HIGH RISK." THE MINIMUM RELATIVE DISTANCE ACCURACY FOR THIS TYPE OF BOUNDARY SURVEY IS 1 FOOT IN 10,000 FEET. THIS SURVEY EXCEEDS THE REQUIRED DISTANCE ACCURACY.
- THIS BOUNDARY SURVEY HAS BEEN REFERENCED TO THE FLORIDA STATE PLANE COORDINATE SYSTEM-EAST ZONE, NAD 83 (1990).
- SUB-SURFACE IMPROVEMENTS INCLUDING UNDERGROUND UTILITIES, UTILITY SERVICES, WERE NOT LOCATED AS PART OF THIS SURVEY.
- REVISIONS SHOWN HEREON DO NOT REPRESENT A "FIELD SURVEY UPDATE" UNLESS OTHERWISE NOTED.
- BEARINGS SHOWN HEREON ARE BASED UPON GRID BEARINGS AND REFERENCE TO THE LINE LABELED HEREON AS (BEARING BASIS) AND ALL OTHER BEARINGS ARE RELATIVE THERETO. DISTANCES ARE IN U.S. SURVEY FEET AND DECIMAL PARTS THEREOF.
- ELEVATIONS SHOWN HEREON ARE RELATIVE TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVDBB) AND BASED ON MARTIN COUNTY BENCHMARK "CPW-3", ELEVATION 10.70 FEET, AND BENCHMARK "CPW-4", ELEVATION 11.94 FEET.
- THIS SITE WAS SURVEYED UTILIZING TRIMBLE/SPECTRA HARDWARE TOGETHER WITH SPECTRA SURVEY PRO REALTIME PROCESSING AND WAS BASED ON TRIMBLES "VRS NOW" NETWORK AND/OR THE FLORIDA PERMANENT REFERENCE NETWORK (FPRN). THE PROCEDURES AND NETWORK DESIGN MEETS THE GEODETIC ACCURACY STANDARDS AND SPECIFICATIONS FOR USING GPS RELATED POSITIONING AS SET FORTH BY THE FEDERAL GEODETIC CONTROL COMMITTEE IN THE MOST CURRENT PUBLICATION FOR 3RD ORDER CLASS ONE FOR HORIZONTAL CONTROL SURVEYS.
- IN SOME INSTANCES, GRAPHIC REPRESENTATIONS AND SYMBOLS SHOWN HAVE BEEN EXAGGERATED TO MORE CLEARLY ILLUSTRATE THE RELATIONSHIP BETWEEN PHYSICAL IMPROVEMENTS AND/OR LOT LINES. THE DIMENSIONS SHOWN SHALL CONTROL THE LOCATION, OF THE IMPROVEMENTS, OVER THE SCALED POSITIONS.
- THE OWNERSHIP OF PERIMETER FENCES, WALLS, HEDGES AND LANDSCAPING, IF ANY, SHOWN HEREON ARE NOT KNOWN AND ARE NOT LISTED AS ENCROACHMENTS. THEIR RELATIVE LOCATION IS SHOWN IN RELATION TO THE BOUNDARY LINES SHOWN.
- THE SURVEY MAP SHOWN HEREON DOES NOT NECESSARILY CONTAIN ALL OF THE INFORMATION OBTAINED OR DEVELOPED BY THE UNDERSIGNED SURVEYOR IN HIS FIELD WORK, OFFICE WORK OR RESEARCH.
- THE PROPERTY WHICH IS THE SUBJECT OF THIS SURVEY APPEARS TO BE SITUATE IN AN AREA OF MINIMAL FLOOD HAZARD ZONE X AT THIS TIME PURSUANT TO F.E.M.A. FIRM NUMBER 12085C0161H, HAVING AN EFFECTIVE DATE OF FEBRUARY 19, 2020. FOR APPROXIMATE DELINEATION OF THE FLOOD ZONE LINES, REFER TO AFOREMENTIONED FIRM PANELS.



ENGINEERS & SURVEYORS
ENVIRONMENTAL

10250 VILLAGE PARKWAY
UNIT 201
PORT ST. LUCIE, FL 34987
772-462-2455
www.edc-inc.com

F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
L.B. CERTIFICATE OF AUTHORIZATION 8098

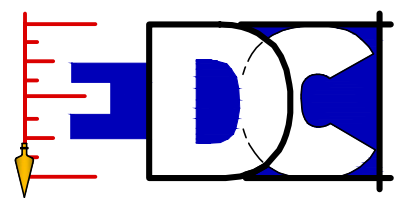
LS DRAWN BY
MTO CHECKED BY
SV FIELD CREW
21-353.DWG FILENAME
AS SHOWN SCALE
February 21, 2022 DATE

NO.	REVISION	DATE
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100	REVISED PER CLIENT COMMENT (EASEMENT LABEL, SPT)	2/21/22

BOUNDARY & TOPOGRAPHIC
SURVEY

FOR: CYPRESS HOLDING, LLC.

RECORD INFORMATION
SEC. 9, TNSHP. 38 SOUTH, RGE. 41 EAST
MARTIN COUNTY, FLORIDA



10250 VILLAGE PARKWAY
UNIT 201
PORT ST. LUCIE, FL 34987
772-462-2455

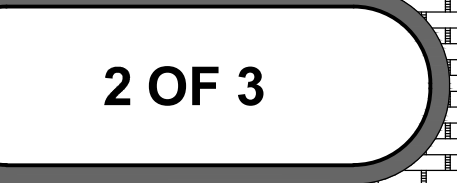
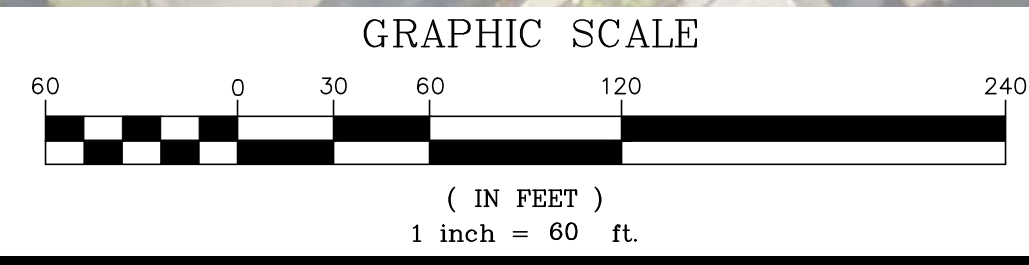
21-353

1 OF 3

MICHAEL T. OWEN PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA REGISTRATION #5556

SIGNATURE DATE:

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADOPTION BY EDC, INC. SHALL BE WITHOUT LIABILITY TO EDC, INC. THIS FIRM EXPLICITLY RESERVES THEIR EXCLUSIVE COMMON LAW COPYRIGHT AND INTELLECTUAL PROPERTY RIGHTS TO THESE DRAWINGS WHICH MAY NOT BE DISPERSED, REPRODUCED, COPIED IN ANY FORM OR MANNER, NOR ARE THEY TO BE ASSIGNED TO ANY PARTY WITHOUT THE WRITTEN CONSENT OF THIS FIRM.



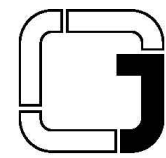
21EJC-202101-363 - Johnson - 751 SE Central Parkway NFW Survey\DWG - PDF\Survey\21-363 BTT - rev2.dwg, 2/23/2022 9:26 AM



TAG#	TREE NAME	DIAMETER(IN)
1101	PALM	
1102	PALM	
1103	PALM	
1104	PALM	
1105	PALM	
1106	PALM	
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1122	PINE	12
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1125	PINE	14
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1192	PALM	
1193	PALM	
1194	PALM	
1195	PINE	12
1196	PALM	
1197		
1198	MAHOGANY	13
1199	PINE	15
1200	PINE	13
1201	PINE	13
1202	MAHOGANY	6
1203	PALM	
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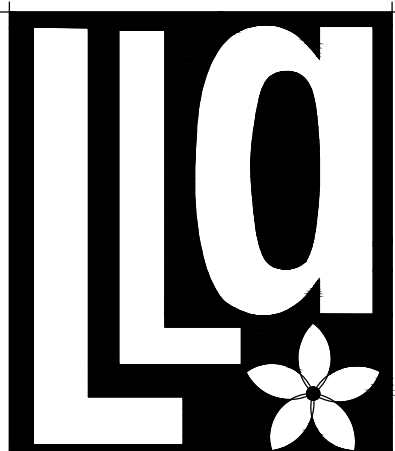
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JOHNSTON GROUP
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LANDSCAPE NOTES

1. ALL PLANT MATERIAL SHALL BE FLORIDA NUMBER 1 OR BETTER AS DEFINED BY THE DIVISION OF PLANT INDUSTRY "GRADES AND STANDARDS" LATEST EDITION.
2. ALL LANDSCAPE SHALL CONFORM TO THE REQUIREMENTS OF THE CITY OF STUART RATION CODE.
3. THE LANDSCAPE CONTRACTOR SHALL NOT MAKE ANY SUBSTITUTIONS CHANGES WITHOUT THE AUTHORIZATION OF THE CITY OF STUART, THE OWNER AND THE LANDSCAPE ARCHITECT.
4. THE LANDSCAPE CONTRACTOR SHALL REVIEW THE PROJECT DRAINAGE AND UTILITY PLANS PRIOR TO CONSTRUCTION AND AVOID ALL CONFLICTS. THE LANDSCAPE CONTRACTOR SHALL VERIFY THE LOCATION OF ALL UNDERGROUND UTILITIES PRIOR TO COMMENCING WORK.
5. THE LANDSCAPE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PERMITS.
6. ALL TREES SHALL BE LOCATED WITHIN A MULCH PLANTING BED WITH A MINIMUM OF TWO (2) FEET OF CLEARANCE TO THE EDGE OF THE BED.
7. ALL SOD SHALL BE STENOGRAPHUM SECONDARIUM "FLORITAM" (ST. AUGUSTINE SOD), UNLESS OTHERWISE NOTED.
8. ALL VEGETATION SHALL BE SELECTED AND POSITIONED SO THAT IT DOES NOT PRESENT OBSTRUCTIONS TO THE LINE OF SIGHT AT INTERSECTIONS PURSUANT TO FLORIDA DEPARTMENT OF TRANSPORTATION SIGHT LINE GUIDELINES.
9. CLEAR VISIBILITY SHALL BE MAINTAINED BETWEEN 30" AND 8" WITHIN SIGHT VISIBILITY TRIANGLES. 10' X 10' SIGHT VISIBILITY TRIANGLES SHALL BE PROVIDED AT THE INTERSECTIONS WITH THE PUBLIC RIGHT OF WAY. IN ADDITION, ALL LANDSCAPING SHALL CONFORM TO THE REQUIREMENTS OF FOOT INDEX 546.
10. ALL LANDSCAPE ISLANDS AND BEDS WILL BE FREE OF SHELL ROCK AND CONSTRUCTION DEBRIS, EXCAVATED TO A DEPTH OF 30 INCHES OR TO CLEAN NATIVE SOILS AND FILLED WITH THE SPECIFIED BACKFILL MIXTURE.
11. ALL PROPOSED LANDSCAPE AREAS SHALL RECEIVE 100% OVERLAP COVERAGE FROM A FULLY AUTOMATIC IRRIGATION SYSTEM EQUIPPED WITH A RAIN SENSING DEVICE ACCORDING TO LOCAL AND STATE CODES. IRRIGATION WATER SHALL BE PULLED FROM A WELL SOURCE AND CITY WATER WILL BE USED AROUND BUILDING.
12. ALL ABOVE GROUND UTILITIES SHALL BE SCREENED FROM VIEW ON THREE SIDES WITH AN APPROPRIATE HEDGE MATERIAL. HEIGHT OF PLANT MATERIAL AT TIME OF INSTALLATION SHALL BE AT LEAST AS TALL AS THE UTILITY BEING SCREENED AND SHALL BE SPACED APPROPRIATELY IN ORDER TO PROVIDE COMPLETE SCREENING OF UTILITY WITHIN ONE YEAR OF INSTALLATION.
13. ALL TREES NOT LOCATED WITHIN A LANDSCAPE BED SHALL RECEIVE A 4-5" DIA. MULCH RING.
14. ALL EXOTIC AND NUISANCE VEGETATION SHALL BE REMOVED FROM SUBJECT PROPERTY PRIOR TO ANY CERTIFICATE OF OCCUPANCY.
15. TREES ARE TO BE INSTALLED WITH A 10' SEPARATION FROM ANY WATER OR SEWER MAIN, AND/OR SERVICE, HYDRANTS, AND LIFT STATIONS. IF A 10' SEPARATION CANNOT BE ACHIEVED, THE TREE CAN BE INSTALLED WITH A ROOT BARRIER SYSTEM. HOWEVER IN NO CASE SHALL A TREE ENCRUST INTO A UTILITY EASEMENT WITHOUT PRIOR BOCA UTILITIES APPROVAL AND ONLY SOD CAN BE INSTALLED WITHIN 7.5' OF A FIRE HYDRANT UNLESS OTHERWISE APPROVED BY THE FIRE MARSHAL.
16. ALL PLANT MATERIAL SHALL BE INSTALLED AT THE HEIGHT, SPREAD AND DBH SHOWN ON THE PLANT LIST, CONTAINER SIZES ARE GIVEN AS A SUGGESTION ONLY.



Litterick Landscape Architecture

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Sailfish Cay

Stuart, Florida

751 Central Parkway

Landscape Architect of Record

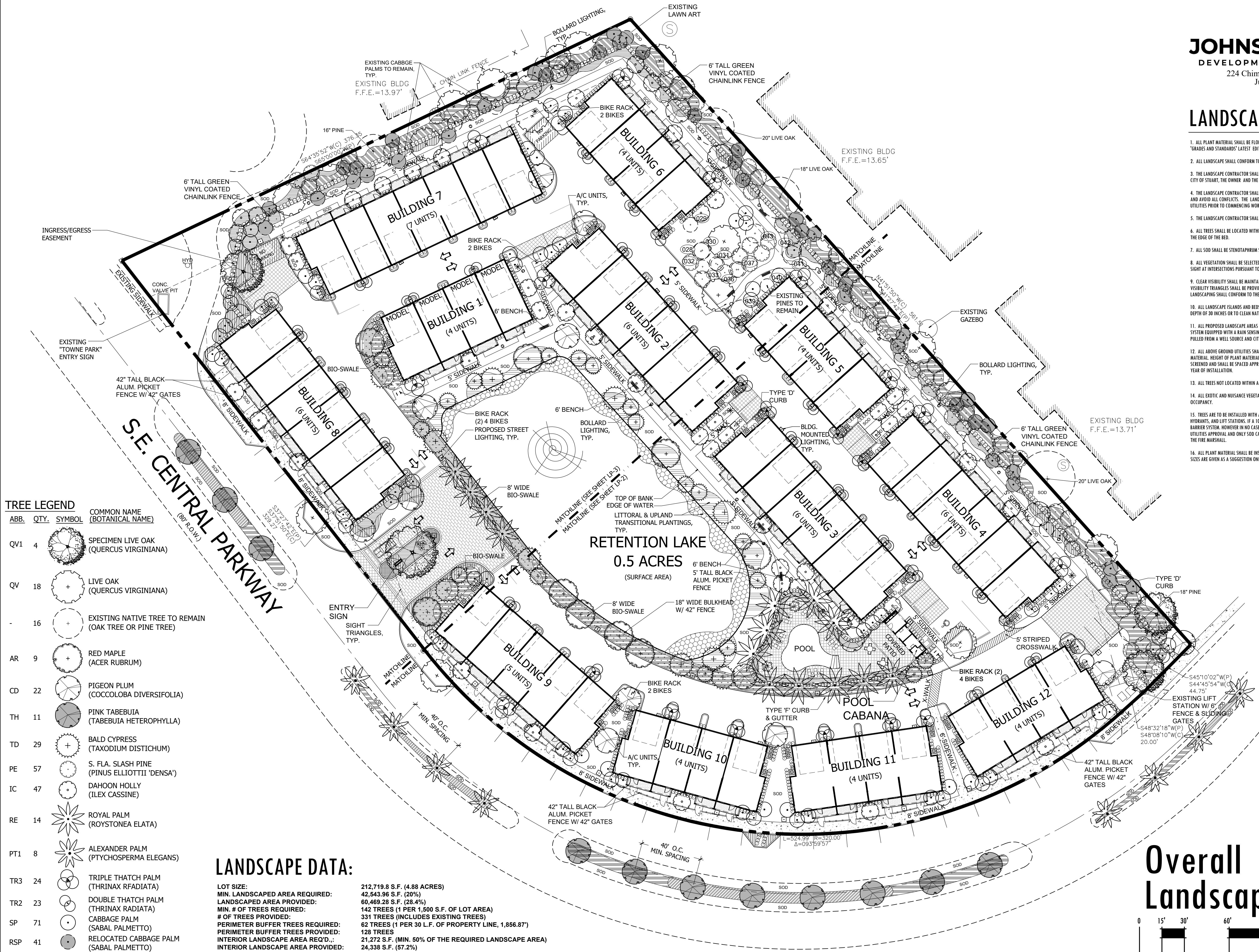
Jason M. Litterick, RLA
(LA0001677)

Scale: 1" = 30'-0"

Designed: JML
Drawn: JML
Approved: JML
Date: 11/5/21
Job no.:
Revisions: 11/22/21
1/7/22
1/24/22
2/21/22
3/30/22

Sheet No.

LP-1



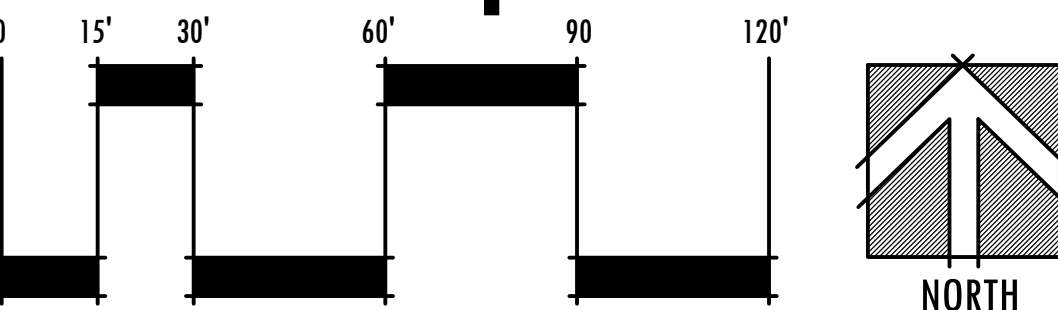
TREE LEGEND			COMMON NAME (BOTANICAL NAME)
ABB.	QTY.	SYMBOL	
QV1	4		SPECIMEN LIVE OAK (QUERCUS VIRGINIANA)
QV	18		LIVE OAK (QUERCUS VIRGINIANA)
-	16		EXISTING NATIVE TREE TO REMAIN (OAK TREE OR PINE TREE)
AR	9		RED MAPLE (ACER RUBRUM)
CD	22		PIGEON PLUM (COCCOLOBA DIVERSIFOLIA)
TH	11		PINK TABEBUIA (TABEBUIA HETEROPHYLLA)
TD	29		BALD CYPRESS (TAXODIUM DISTICHUM)
PE	57		S. FLA. SLASH PINE (PINUS ELLIOTTII 'DENSE')
IC	47		DAHOON HOLLY (ILEX CASSINE)
RE	14		ROYAL PALM (ROYSTONEA ELATA)
PT1	8		ALEXANDER PALM (PTYCHOSPERMA ELEGANS)
TR3	24		TRIPLE THATCH PALM (THRINAX RFADIATA)
TR2	23		DOUBLE THATCH PALM (THRINAX RADIATA)
SP	71		CABBAGE PALM (SABAL PALMETTO)
RSP	41		RELOCATED CABBAGE PALM (SABAL PALMETTO)
-	8		EXISTING CABBAGE PALM (SABAL PALMETTO)

LANDSCAPE DATA:

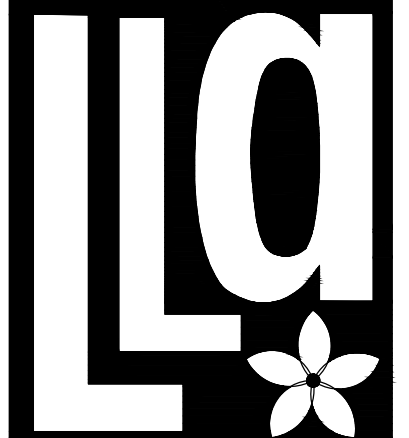
LOT SIZE: 212,719.8 S.F. (4.88 ACRES)
MIN. LANDSCAPED AREA REQUIRED: 42,543.96 S.F. (20%)
LANDSCAPED AREA PROVIDED: 60,469.28 S.F. (28.4%)
MIN. # OF TREES REQUIRED: 142 TREES (1 PER 1,500 S.F. OF LOT AREA)
OF TREES PROVIDED: 331 TREES (INCLUDES EXISTING TREES)
PERIMETER BUFFER TREES REQUIRED: 62 TREES (1 PER 30 L.F. OF PROPERTY LINE, 1,856.87')
PERIMETER BUFFER TREES PROVIDED: 128 TREES
INTERIOR LANDSCAPE AREA REQ'D.: 21,272 S.F. (MIN. 50% OF THE REQUIRED LANDSCAPE AREA)
INTERIOR LANDSCAPE AREA PROVIDED: 24,338 S.F. (57.2%)
INTERIOR TREES REQUIRED: 43 TREES (1 PER 500 S.F. IF INT. LANDSCAPE AREA)
INTERIOR TREES PROVIDED: 203 TREES
% OF NATIVE TREES PROVIDED: 100%
% OF NATIVE SHRUBS PROVIDED: 100%

REFER TO SHEET LP-4 FOR PLANT LIST, PLANTING DETAILS & SPECIFICATIONS

Overall Landscape Plan



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Landscape Architect of Record

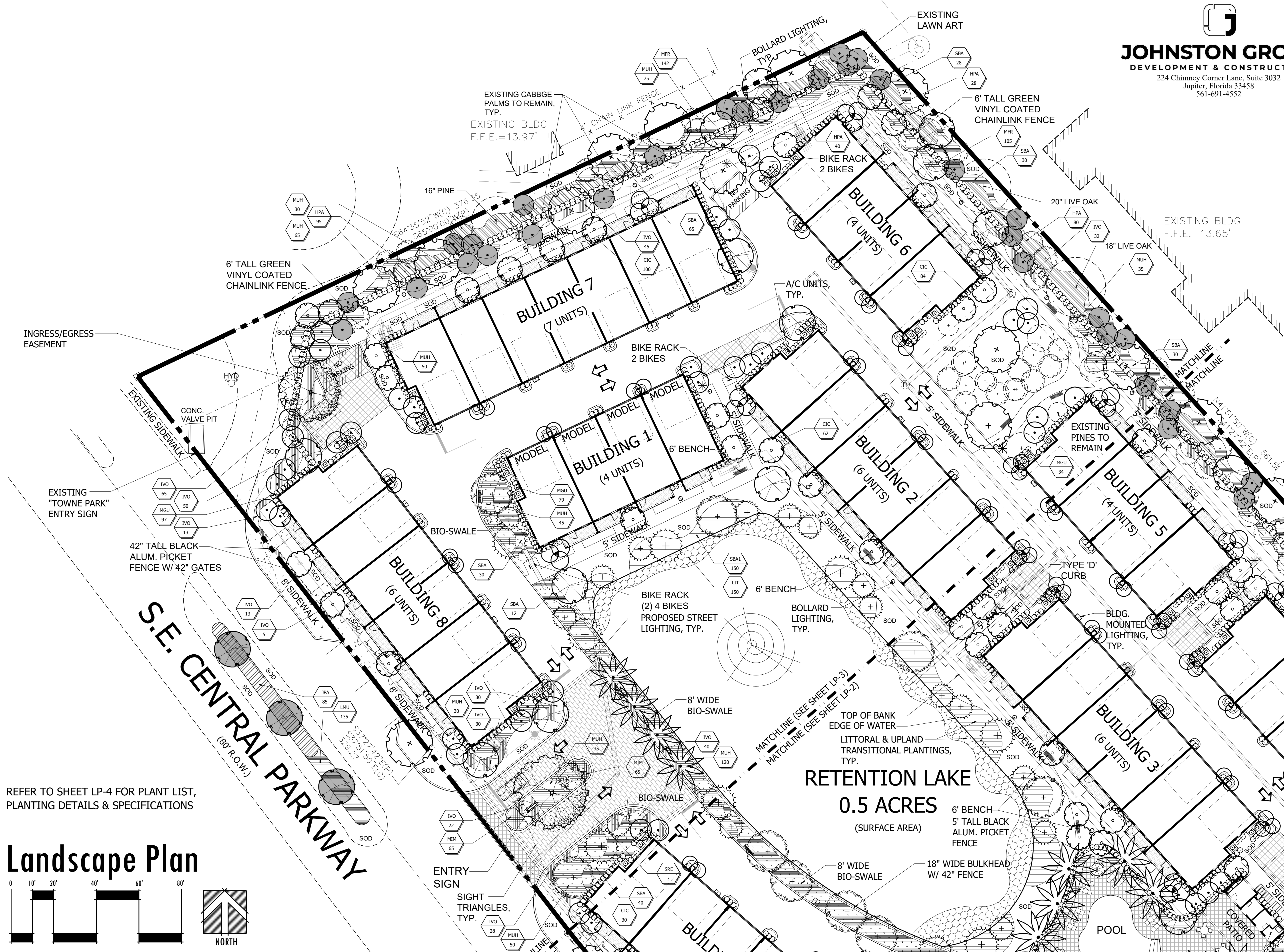
Mason M. Litterick, RLA
(LA0001677)

Scale: 1" = 20'-0"

Designed: _____ JML
 Drawn: _____ JML
 Approved: _____ JML
 Date: _____ 11/5/21
 Job no. _____
 Revisions: _____ 11/22/21
 _____ 1/7/22
 _____ 1/24/22
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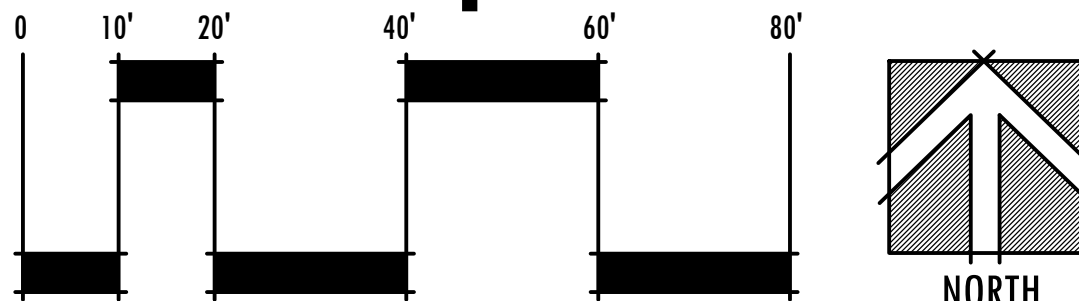
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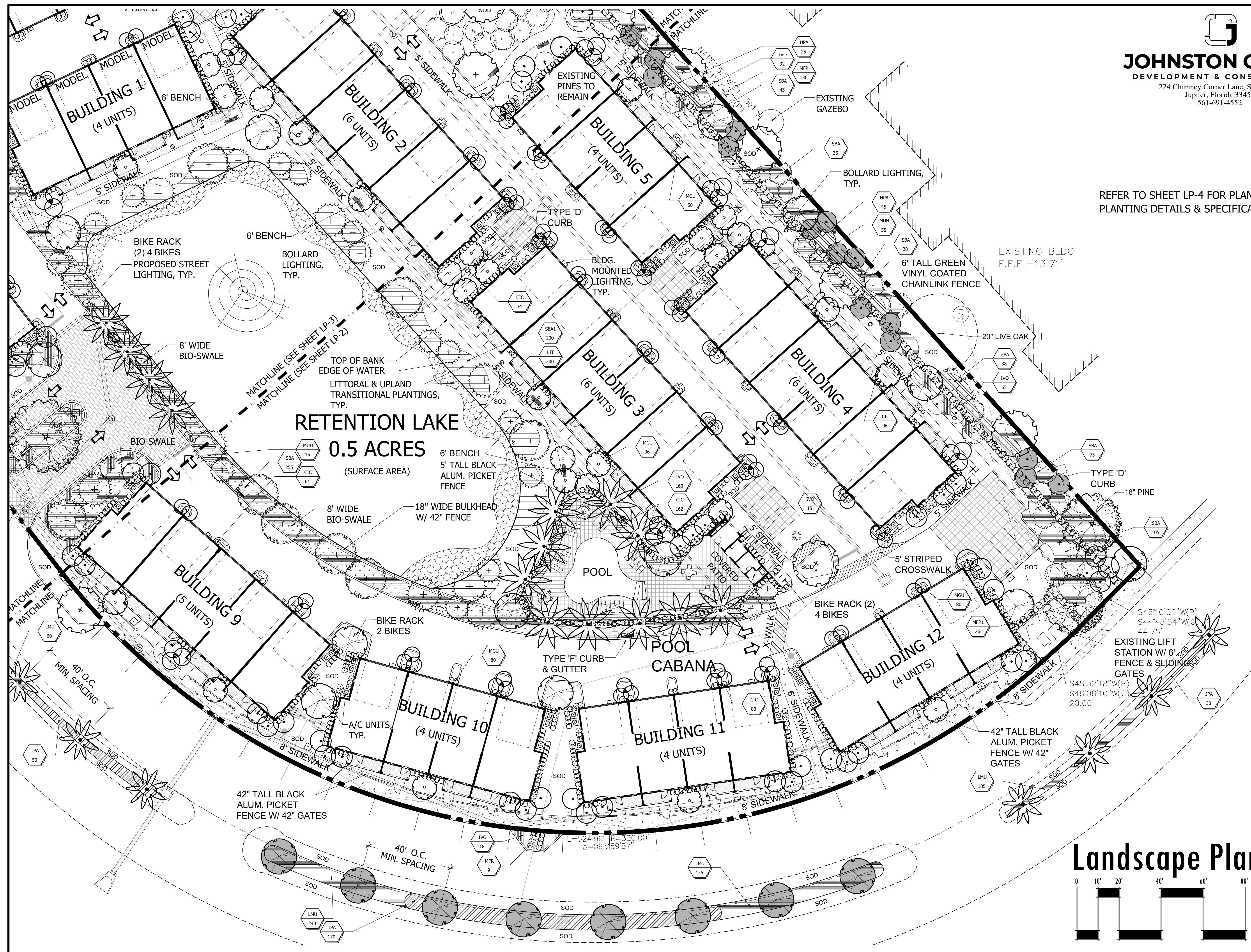
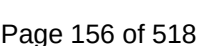
LP-2



REFER TO SHEET LP-4 FOR PLANT LIST,
PLANTING DETAILS & SPECIFICATIONS

Landscape Plan





PLANT LIST

SYM	QTY.	BOTANICAL NAME	COMMON NAME	HEIGHT	SPR.	NOTES:
* V	QV	18	QUERCUS VIRGINIANA	12' O.A., 2.5" DBH	6" MIN.	FULL & THICK, SINGLE TRUNK
* V	QV1	4	QUERCUS VIRGINIANA	18-20' O.A., 5" DBH	8" MIN.	FULL & THICK, SINGLE TRUNK SPECIMEN
* V	IC	47	ILEX CASSINE	12' O.A., 2.5" DBH	6" MIN.	FULL & THICK
* V	TD	29	TAXODIUM DISTICHUM	8-12' O.A.	4-6'	FULL & THICK, STAGGER HEIGHTS EVENLY
* V	CD	22	COCOLOBA DIVERSIFOLIA	12' O.A., 2.5" CAL.	5" MIN.	FULL & THICK, SINGLE TRUNK
* V	PE	57	PINUS ELLIOTTII 'DENSE'	12' O.A., 2.5" CAL.	6" MIN.	FULL & THICK, SINGLE TRUNK
* V	SP	71	SABAL PALMETTO	8'-22' C.T.	-	FULL & THICK, STAGGER HEIGHTS, SLICK
* V	RSP	41	SABAL PALMETTO	VARY	-	FULL & THICK
* V	AR	9	ACER RUBRUM	12' O.A., 2.5" CAL.	6' SPD.	FULL & THICK
* V	TR2	23	THRINAX RADIATA	12' O.A.	-	FULL & THICK, DOUBLE TRUNK
M	TR3	24	THRINAX RADIATA	12' O.A.	-	FULL & THICK, TRIPLE TRUNK
* V	RE	14	ROYSTONEA ELATA	10' 6.W.	-	FULL & THICK, MATCHED HEIGHTS
M	PT1	8	PTYCHOSPERMA ELEGANS	16' O.A. (10' C.T.)	-	FULL & THICK, SINGLE TRUNK MATCHED
V	TH	11	TABEBUIA HETEROPHYLLA	12-14' O.A.	5' SPD.	FULL & THICK

KEY	QTY.	BOTANICAL NAME	COMMON NAME	HEIGHT	SPR.	O.C.	REMARKS
* V	CIC	709	CHRYSOBALANUS ICACO 'RED TIP'	RED TIP COCOPLUM	#3, 24" MIN.	18" MIN.	24" FULL & THICK TO BASE
* V	MUH	605	MUHLENBERGIA CAPILLARIS	MUHLY GRASS	#3, 16" O.A.	16"	30" FULL & THICK TO BASE
* V	MFR	392	MYRCIANTHES FRAGRANS	SIMPSON'S STOPPER	#7, 36" O.A.	24"	30" FULL & THICK TO BASE
* V	MFR1	26	MYRCIANTHES FRAGRANS	SIMPSON'S STOPPER	6' O.A.	30"	30" FULL & THICK TO BASE
* V	IYO	663	ILEX VOMITORIA	DWF. YAUPON HOLLY	#3, 16" O.A.	16"	24" FULL & THICK TO BASE
* V	SBA	778	SPARTINA BAKERI	SAND CORD GRASS	#3, 24" O.A.	18"	36" FULL & THICK TO BASE
* V	SBA1	350	SPARTINA BAKERI	SAND CORD GRASS	#1, 16" O.A.	12"	36" FULL & THICK TO BASE
* V	MGU	516	MYRSINE GUIANENSIS	MYRSINE	#3, 24" O.A.	18"	24" FULL & THICK TO BASE
* V	MIM	130	MIMOSA STRIGILLOSA	SUNSHINE MIMOSA	#1, FULL POT	12"	12" FULL & THICK TO BASE
* V	HFA	351	HAMELIA PATENS	FIREBUSH	#3, 24" O.A.	18"	36" FULL & THICK TO BASE
* V	SRE	2	SERENOA REPENS	SAW PALMETTO	#15, 36" O.A.	A.S.	36" FULL & THICK TO BASE, CLUMP
M	LIU	665	LIRIOPE MUSCARI	GREEN LIRIOPE	#3, 14" O.A.	14"	18" FULL & THICK TO BASE
M	JPA	335	JUNIPERUS CHINENSIS 'PARSONI'	PARSON'S JUNIPER	#3, 14" O.A.	30"	30" FULL & THICK TO BASE
* V	LIT	350	LITTORAL PLANTS	SPECIES BELOW	-	36"	FULL & THICK TO BASE

LITTORAL PLANTS

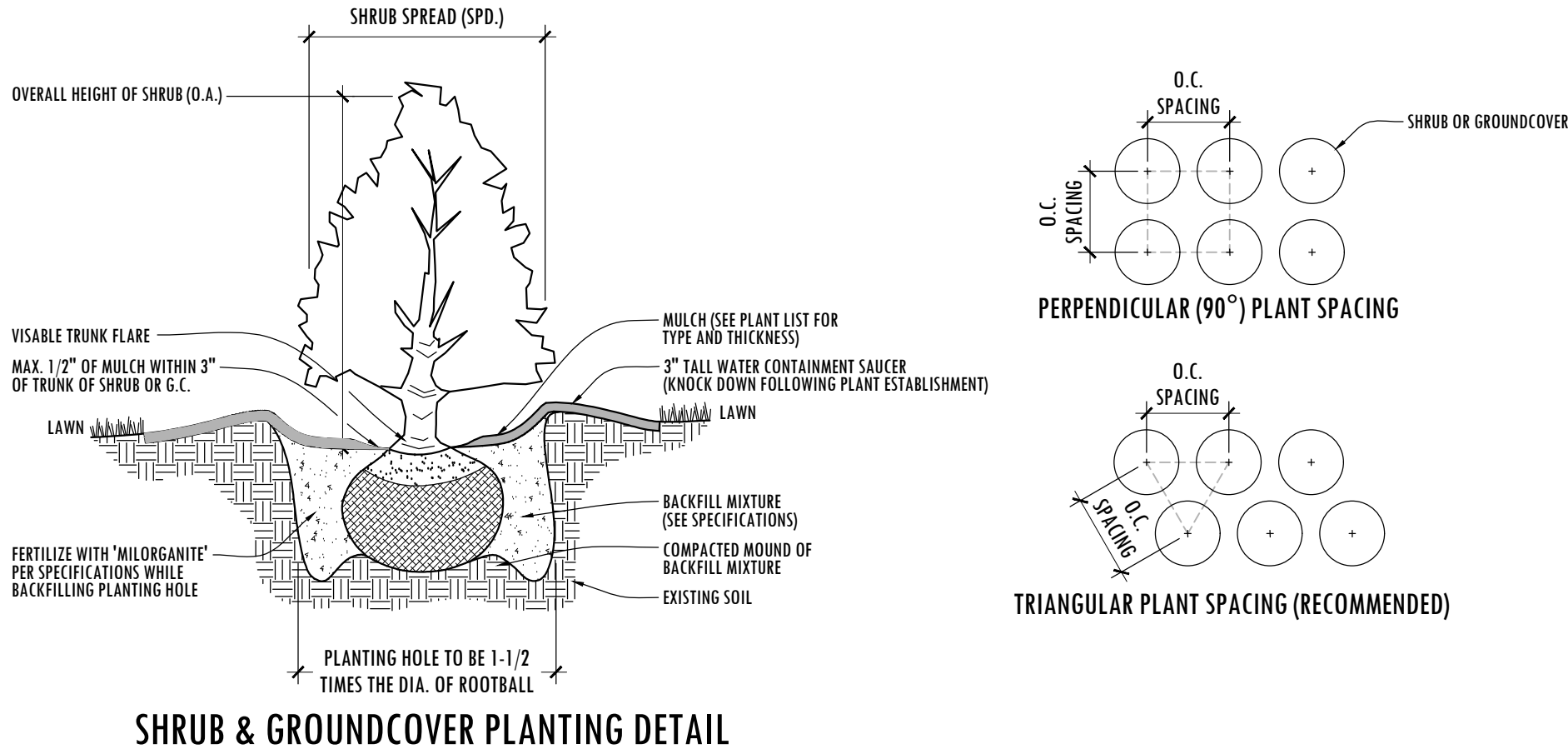
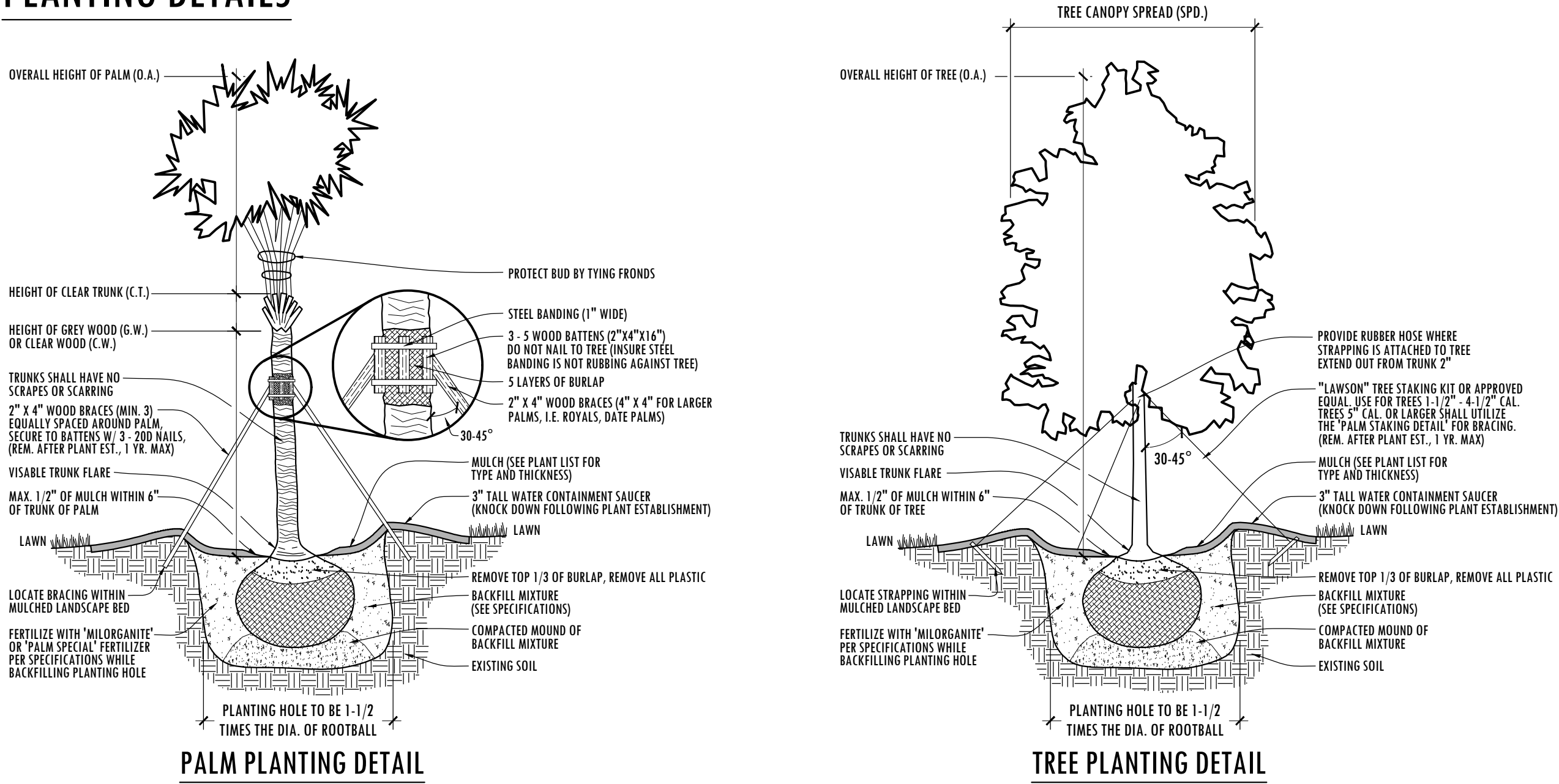
QTY.	BOTANICAL NAME	COMMON NAME	SIZE	O.C.	REMARKS
25	THALIA GENICULATA	FIRE FLAG	LINER, 24" O.A.	36"	FULL & THICK
175	PONTERDERIA CORDATA	PICKERELL WEED	LINER, 18" O.A.	36"	FULL & THICK
150	JUNCUS EFFUSUS	SOFT RUSH	LINER, 12" O.A.	36"	FULL & THICK

* ASTERISK DENOTES NATIVE PLANT MATERIAL
V INDICATES VERY DROUGHT TOLERANT PLANT MATERIAL
M INDICATES MODERATELY DROUGHT TOLERANT PLANT MATERIAL

SOD: ST. AUGUSTINE 'FLORITAN'
MULCH: 3" SHREDDED MELALEUCA MULCH (OR APPROVED RECYCLED MULCH) TO BE APPLIED TO ALL PLANTING BEDS.

IRRIGATION NOTE:
ALL NEW LANDSCAPE AREAS SHALL BE RECEIVE 100% OVERLAP COVERAGE FROM A FULLY AUTOMATIC IRRIGATION SYSTEM EQUIPPED WITH A RAIN SENSOR.
IRRIGATION WATER SOURCE: LAKE W/ RECHARGE WELL

PLANTING DETAILS



PLANTING SPECIFICATIONS

1. SCOPE OF WORK

LANDSCAPE CONTRACTOR WORK INCLUDES, BUT IS NOT LIMITED TO, SOIL PREPARATION, FINE OR FINISH GRADING, FURNISHING AND INSTALLING PLANT MATERIAL, WATERING, STAKING, GUYING AND MULCHING.

ALL LABOR AND MATERIAL FOR SOIL AMENDMENTS AND FERTILIZER THAT IS REQUIRED TO INSURE THE SUCCESSFUL ESTABLISHMENT AND SURVIVAL OF THE PROPOSED VEGETATION, AS WELL AS ALL THE COST FOR THE REMOVAL OF UNSUITABLE OR EXCESS BACKFILL MATERIAL, SHALL BE INCLUDED IN THE CONTRACTOR'S BID TO PERFORM THE WORK REPRESENTED IN THIS PLAN SET.

2. QUALITY ASSURANCE

LANDSCAPE CONTRACTOR MUST BE REGULARLY ENGAGED IN THE INSTALLATION OF LIVING PLANT MATERIAL. LABOR CREWS SHALL BE CONTROLLED AND DIRECTED BY A LANDSCAPE FOREMAN WELL VERSED IN LANDSCAPE INSTALLATION, PLANT MATERIALS, READING PLANS AND COORDINATION BETWEEN THE JOB AND NURSERY.

THE LANDSCAPE CONTRACTOR AND IRRIGATION CONTRACTOR SHALL REVIEW LAYOUT AND SCHEDULING PRIOR TO INSTALLATION OF MATERIAL. MINOR ADJUSTMENT TO IRRIGATION DESIGN MAY BE MADE IN RESPONSE TO THE NEEDS OF SPECIFIC PLANT MATERIAL. THE LANDSCAPE ARCHITECT MUST BE NOTIFIED OF SUCH CHANGES.

3. MATERIALS

PLANT SIZE AND QUALITY
PLANT SPECIES AND SIZES SHALL CONFORM TO THOSE INDICATED ON THE DRAWINGS. NOMENCLATURE SHALL CONFORM TO STANDARD PLANT NAMES, 1942 EDITION. ALL NURSERY STOCK SHALL BE IN ACCORDANCE WITH GRADES AND STANDARDS FOR NURSERY PLANTS PARTS I & II, LATEST EDITION PUBLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES, UNLESS SPECIFIED OTHERWISE. ALL PLANTS SHALL BE FLORIDA GRADE NUMBER 1 OR BETTER AS DETERMINED BY THE FLORIDA DIVISION OF PLANT INDUSTRY. THINLY KNIT PLANT, SO TRAINED OR FAVORED IN ITS DEVELOPMENT THAT FIRST APPEARANCE IS UNQUESTIONABLE AND IT IS OUTSTANDINGLY SUPERIOR IN FORM, NUMBER OF BRANCHES, COMPACTNESS AND SYMMETRY. ALL PLANTS SHALL BE FRESHLY DUG, SOUND, HEALTHY, VIGOROUS, WELL BRANCHED AND FREE OF DISEASE AND INSECT EGGS AND LARVAE AND SHALL HAVE ADEQUATE ROOT SYSTEMS. TREES AND PALMS FOR PLANTING ROWS SHALL BE UNIFORM IN SIZE AND SHAPE. ALL MATERIALS SHALL BE SUBJECT TO APPROVAL BY THE LANDSCAPE ARCHITECT. THE PLANTS FURNISHED SHALL BE NORMAL FOR THE VARIETY AND FLORIDA NUMBER 1. PLANTS SHALL BE PRUNED PRIOR TO DELIVERY ONLY UPON THE APPROVAL OF THE LANDSCAPE ARCHITECT. ALL PLANTS SHALL BE FREE OF WEEDS OR ANY OTHER OBJECTIONABLE VEGETATION.

ALL CONTAINER GROWN MATERIAL SHALL BE HEALTHY, VIGOROUS, WELL-ROOTED PLANTS AND ESTABLISHED IN THE CONTAINER IN WHICH THEY ARE SOLD. THE PLANTS SHALL HAVE TOPS OF GOOD QUALITY AND BE IN A HEALTHY GROWING CONDITION.

CONTAINER GROWN PLANTS SHALL HAVE A DEVELOPED ROOT STRUCTURE SO THAT THE ROOT MASS STAYS IN TACT WHEN REMOVED FROM CONTAINER. IN NO CASE SHALL THE PLANT CONTAIN CIRCLING ROOTS NOR BE ROOT-BOUND.

QUANTITIES

ALL QUANTITIES INDICATED ON THE PLANT LIST ARE INTENDED AS A GUIDE FOR THE BIDDERS AND DOES NOT RELIEVE THE BIDDER OF HIS RESPONSIBILITY TO DO A COMPREHENSIVE PLANT TAKE OFF. SHALL A DISCREPANCY OCCUR BETWEEN THE BIDDER'S TAKE OFF AND THE PLANT LIST QUANTITY, THE LANDSCAPE ARCHITECT IS TO BE NOTIFIED FOR CLARIFICATION PRIOR TO THE SUBMISSION OF THE BID.

MULCH

MULCH SHALL BE A SHREDDED VARIETY AS SPECIFIED IN THE PLANT LIST. ALL MULCH IS TO BE APPLIED TO A DEPTH OF 3" EXCEPT FOR THOSE SPECIFIC SITUATIONS SHOWN BELOW IN SECTION 4 AND IN PLANTING DETAILS.

FERTILIZER

FERTILIZER IN BACKFILL MIXTURE FOR ALL PLANTS SHALL CONSIST OF 'MILORGANITE' ACTIVATED SLUDGE MIXED WITH THE BACKFILL AT A RATE OF NOT LESS THAN 50 LBS. PER CUBIC YARD.

FERTILIZER FOR TREES AND SHRUBS MAY BE TABLET FORM OR GRANULAR. GRANULAR FERTILIZER SHALL BE UNIFORM IN COMPOSITION, DRY AND FREE-FLOWING. THIS FERTILIZER SHALL BE DELIVERED TO THE SITE IN THE ORIGINAL UNOPENED BAGS, EACH BEARING THE MANUFACTURER'S STATEMENT OF ANALYSIS. FERTILIZE ALL NEW PLANTINGS PER RATES SHOWN BELOW:

TREES:

FERTILIZE NEW TREES WITH 'MILORGANITE' AT THE FOLLOWING RATES:

- 8" AND SMALLER: 2-4 LBS.
- 8"-12" TALL: 4-6 LBS.
- 12" AND TALLER: 6-8 LBS.

(3 CUPS = 1 LB.)

SHRUBS:

FERTILIZE NEW SHRUBS AND ACCENTS WITH 'MILORGANITE' AT THE FOLLOWING RATES:

- 4-6" POTS: 1/2 CUP
- 1 GAL.: 1/2 CUP
- 3 GAL.: 1 CUP
- 7-10 GAL.: 2 CUPS
- 15 GAL. AND GREATER: 3 CUPS

PALM TREES:

FERTILIZE NEW PALM TREES WITH A "PALM SPECIAL" FERTILIZER IN SLOW RELEASE FORM. FERTILIZER SHALL CONTAIN AN ADDITIONAL MAGNESIUM AND MICRO-NUTRIENT AMENDMENT

SOIL

PLANTING SOIL SHALL BE SANDY LOAM AND SHALL CONTAIN A 25% MINIMUM AMOUNT OF DECOMPOSED ORGANIC MATTER. PLANTING SOIL SHALL BE FREE OF CLAY, STONES, PLANTS, ROOTS AND OTHER FOREIGN MATERIALS WHICH MIGHT BE A HINDRANCE TO PLANTING OPERATIONS OR BE DETRIMENTAL TO GOOD PLANT GROWTH. SOIL SHALL BE DELIVERED IN A LOOSE FRABLE CONDITION AND APPLIED IN ACCORDANCE WITH THE PLANTING SPECIFICATIONS.

ALL SHRUBS, TREES AND GROUND COVER WILL HAVE IMPROVED SOIL AS PER PLANTING SOIL NOTES. THE SOILS SHALL BE PLACED IN THE HOLE DURING PLANTING. TOP DRESSING ONLY IS NOT ACCEPTABLE.

DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING. ALL TREES SHALL BE SPIKED IN UTILIZING WATER AND A TREE BAR.

WATER

WATER FOR PLANTING WILL BE AVAILABLE AT THE SITE AND WILL BE PROVIDED BY THE OWNER. LANDSCAPE CONTRACTOR SHALL NOT ASSUME THAT THE IRRIGATION SYSTEM WILL BE OPERATIONAL AT THE TIME OF PLANTING. IT IS THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO PROVIDE ALL THE REQUIRED WATER NECESSARY TO MAINTAIN THE PLANT MATERIAL IN A HEALTHY GROWING CONDITION. THE WATERING MAY INCLUDE DEEP WATERING OF TREES AND THE WATERING OF SHRUB AND GROUND COVER AREAS. ANY PLANT MATERIALS THAT DIE OR THAT ARE NOT IN A HEALTHY GROWING CONDITION DUE TO LACK OF WATER SHALL BE REPLACED BY THE LANDSCAPE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.

4. EXECUTION

FIELD GROWN TREES AND PALMS PREVIOUSLY ROOT PRUNED SHALL OBTAIN A ROOT BALL WITH SUFFICIENT ROOTS FOR CONTINUED GROWTH WITHOUT RESULTING SHOCK.

CONTRACTOR SHALL NOT MARK OR SCAR TRUNK IN ANY FASHION.

PLANTS SHALL BE WATERED AS NECESSARY OR WITHIN 24 HOURS AFTER NOTIFICATION BY THE LANDSCAPE ARCHITECT.

THE LOCATIONS OF PLANTS, AS SHOWN IN THESE PLANS, ARE APPROXIMATE. THE FINAL LOCATIONS MAY BE ADJUSTED TO ACCOMMODATE UNFORESEEN FIELD CONDITIONS. MAJOR ADJUSTMENTS TO THE LAYOUT ARE TO BE APPROVED BY THE LANDSCAPE ARCHITECT.

ALL PLASTIC FABRIC SHALL BE REMOVED FROM PLANT MATERIAL AT TIME OF INSTALLATION.

ALL TREES MUST BE STAKED AS SHOWN ON THE PLANTING DETAILS WITHIN 24 HOURS OF PLANTING. STAKES TO REMAIN FOR A MINIMUM OF 9 MONTHS, BUT NO LONGER THAN 18 MONTHS. CONTRACTOR IS RESPONSIBLE FOR MAINTENANCE AND REMOVAL OF THE STAKES.

ALL TREES MUST BE PRUNED AS PER LANDSCAPE ARCHITECT'S DIRECTION. SABAL PALMS MAY BE HURRICANE CUT.

ALL SHRUBS, TREES AND GROUND COVER WILL HAVE IMPROVED SOIL AS PER PLANTING SOIL NOTES. THE SOILS SHALL BE PLACED IN THE HOLE DURING PLANTING. TOP DRESSING ONLY IS NOT ACCEPTABLE.

DO NOT ALLOW AIR POCKETS TO FORM WHEN BACKFILLING. ALL TREES SHALL BE SPIKED IN UTILIZING WATER AND A TREE BAR.

AFTER FINAL SETTLING OF BALLED AND BURLAPED PLANTS, LOOSEN BURLAP WRAPPING EXPOSING THE TOP OF THE ROOTBALL, LEAVING THE BALL UNBROKEN. REMOVE EXCESS AMOUNTS OF BURLAP TO ELIMINATE VOIDS WHICH MAY BE CAUSED UPON DECOMPOSITION.

CONTAINER GROWN PLANTS SHALL, WHEN DELIVERED, SHALL HAVE SUFFICIENCY GROWTH TO HOLD EARTH INTACT WHEN REMOVED FROM CONTAINER AND SHALL NOT BE ROOT BOUND. PLANT PITS FOR CONTAINER MATERIALS SHALL BE FORMED FLAT ON THE BOTTOM TO AVOID AIR POCKETS AT THE BOTTOM OF ROOT BALLS AND CONTAINERS SHALL BE REMOVED CAREFULLY TO PREVENT DAMAGE TO THE PLANT OR ROOT SYSTEMS.

TEST TREE PITS WITH WATER BEFORE PLANTING TO ASSURE PROPER DRAINAGE PERCOLATION IS AVAILABLE. PITS WHICH ARE FOUND NOT TO BE ADEQUATELY DRAINING SHALL BE EXCAVATED TO A DEPTH SUFFICIENT FOR DRAINAGE AND BACKFILLING WITH GRAVEL OR CRUSHED ROCK. NO ALLOWANCES WILL BE MADE FOR LOST PLANTS DUE TO IMPROPER DRAINAGE.

PLANTING BED PREPARATION

ALL PLANTING BEDS SHALL BE PROPERLY PREPARED PRIOR TO THE COMMENCEMENT OF ANY PLANTING. PLANTING AREAS, INCLUDING LAWNS SHALL BE FREE OF ALL WEEDS AND NUISANCE VEGETATION. IF TORPEDO GRASS (PANICUM REPENS) IS PRESENT OR ENCOUNTERED DURING PLANTING, THE LANDSCAPE CONTRACTOR SHALL STOP ALL PLANTING UNTIL IT CAN BE DEMONSTRATED THAT IT HAS BEEN COMPLETELY REMOVED OR ERADICATED. THERE SHALL BE NO EXCEPTIONS TO THIS PROVISION.

ALL LANDSCAPE ISLANDS AND BEDS WILL BE FREE OF SHELL ROCK AND CONSTRUCTION DEBRIS AND WILL BE EXCAVATED TO A DEPTH OF 30 INCHES OR TO CLEAN, NATIVE SOIL AND FILLED WITH THE SPECIFIED BACKFILL MIXTURE.

PLANTING TREES

EXCAVATE PIT AS PER PLANTING DETAILS. COMPACT LAYER OF TOPSOIL IN PIT WITH A SLIGHTLY DISHED GRADE TO CENTER.

BACKFILL AROUND BALL WITH TOPSOIL AND SLIGHTLY COMPACT, WATER THOROUGHLY AS LAYERS ARE PLACED TO ELIMINATE VOIDS AND AIR POCKETS. BUILD A 6" HIGH BEAM OF TOPSOIL BEYOND EDGE OF EXCAVATION. APPLY 3" (AFTER SETTLEMENT) OF MULCH.

PRUNE TREE TO REMOVE DAMAGED BRANCHES, IMPROVE NATURAL SHAPE AND THIN OUT STRUCTURE. DO NOT REMOVE MORE THAN 15% OF BRANCHES. DO NOT PRUNE BACK TERMINAL LEADER.

GUY AND STAKE TREE IN ACCORDANCE WIT THE STAKING DETAILS IMMEDIATELY AFTER PLANTING.

PLANTING SHRUBS

LAY OUT SHRUBS TO CREATE A CONTINUOUS SMOOTH FRONT LINE AND FILL IN BEHIND.

EXCAVATE PIT OR TRENCH TO 1-1/2 TIMES THE DIAMETER OF THE BALLS OR CONTAINERS OR 1" 40" WIDER THAN THE SPREAD OF ROOTS AND 3" DEEPER THAN REQUIRED FOR POSITIONING AT PROPER HEIGHT. COMPACT A LAYER OF TOPSOIL IN BOTTOM. BEFORE PLACING PLANTS. BACKFILL AROUND PLANTS WITH PLANTING MIXTURE, COMPACTED TO ELIMINATE VOIDS AND AIR POCKETS. FORM GRADE SLIGHTLY DISHED AND BERMED AT EDGES OF EXCAVATION. APPLY 3" OF MULCH.

PRUNE SHRUBS TO REMOVE DAMAGED BRANCHES, IMPROVE NATURAL SHAPE AND THIN OUT STRUCTURE. DO NOT REMOVE MORE THAN 15% OF BRANCHES.

PLANTING GROUND COVER

LOOSEN SUBGRADE TO DEPTH OF 4" IN AREAS WHERE TOPSOIL HAS BEEN STRIPPED AND SPREAD SMOOTH.

SPACE PLANTS AS OTHERWISE INDICATED. DIG HOLES LARGE ENOUGH TO ALLOW SPREADING OF ROOTS. COMPACT BACKFILL TO ELIMINATE VOIDS AND LEAVE GRADE SLIGHTLY DISHED AT EACH PLANT. WATER THOROUGHLY. APPLY 3" OF MULCH OVER ENTIRE PLANTING BED, LIFTING PLANT FOLIAGE ABOVE MULCH. DO NOT PLACE MULCH AROUND BASE OF TRUNK/STEM.

PLANTING SOD

SODDING: SOD TYPE SPECIFIED ON PLANT LIST SHALL BE MACHINE STRIPPED NOT MORE THAN 24 HOURS PRIOR TO LAYING. SOD SHALL BE FIRM, TOUGH TEXTURE, HAVING A COMPACT GROWTH OF GRASS WITH GOOD ROOT DEVELOPMENT, AND SHALL CONTAIN NO BERMUDA GRASS, WEEDS OR ANY OTHER OBJECTIONABLE VEGETATION.

LOOSEN SUBGRADE TO DEPTH OF 4" AND GRADE WITH TOPSOIL EITHER PROVIDED ON SITE OR IMPORTED TO FINISH DESIGN ELEVATIONS. IT SHALL BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR TO FINISH GRADE ALL LANDSCAPE AREAS, ELIMINATING ALL BUMPS, DEPRESSIONS, STICKS, STONES AND OTHER DEBRIS. ROLL PREPARED LAWN SURFACE. WATER THOROUGHLY, BUT DO NOT CREATE MUDDY SOIL CONDITION.

FERTILIZE SOIL AT THE RATE OF APPROXIMATELY 10 LBS. PER 1,000 S.F. SPREAD FERTILIZER OVER THE AREA TO RECEIVE GRASS BY USING AN APPROVED DISTRIBUTION DEVICE CALIBRATED TO DISTRIBUTE THE APPROPRIATE QUANTITY. DO NOT FERTILIZE WHEN WIND VELOCITY EXCEEDS 15 M.P.H. THOROUGHLY MIX FERTILIZER INTO THE TOP 2" OF TOPSOIL.

LAY SOD STRIPS WITH TIGHT JOINTS, DO NOT OVERLAP. STAGGER STRIPS TO OFFSET JOINTS IN ADJACENT COURSES. GROUND SIFTED SOIL MIX INTO MINOR CRACKS BETWEEN PIECES OF SOD AND REMOVE EXCESS SOIL DEPOSITS FROM SODDED AREAS. SOD ON SLOPES GREATER THAN 3:1 SHALL BE STAKED IN PLACE. ROLL OR STAMP LIGHTLY AND WATER THOROUGHLY WITH A FINE SPRAY IMMEDIATELY AFTER PLANTING.

5. MISCELLANEOUS LANDSCAPE WORK

LANDSCAPE MAINTENANCE

MAINTAIN LANDSCAPE WORK IMMEDIATELY AFTER PLANTING AND UNTIL FINAL ACCEPTANCE IS ISSUED BY THE OWNER'S REPRESENTATIVE. INCLUDE WATERING, WEEDING, CULTIVATING, RESTORATION OF GRADE, MOWING AND TRIMMING GRASS, PRUNING TREES AND SHRUBS, PROTECTION FROM INSECTS AND DISEASES, FERTILIZING AND SIMILAR OPERATIONS AS NEEDED TO INSURE NORMAL GROWTH AND GOOD HEALTH FOR LIVE PLANT MATERIAL. SETTLED PLANTS SHALL BE RESET TO PROPER GRADE, PLANTING SAUCERS RESTORED, AND DEFECTIVE WORK CORRECTED.

IN THE EVENT OF SERIOUS DAMAGE FROM INSECTS OR DISEASE PRIOR TO FINAL ACCEPTANCE, THE PLANTS SHALL BE TREATED BY PREVENTATIVE OR REMEDIAL MEASURES APPROVED FOR GOOD HORTICULTURAL PRACTICE AT NO ADDITIONAL COST TO THE OWNER.

CLEAN UP

THE LANDSCAPE CONTRACTOR SHALL AT ALL TIMES KEEP THE PREMISES FREE FROM ACCUMULATION OF WASTE MATERIALS OR DEBRIS CAUSED BY HIS CREWS DURING THE PERFORMANCE OF THE WORK. UPON COMPLETION OF THE WORK, THE CONTRACTOR SHALL PROMPTLY REMOVE ALL WASTE MATERIALS, DEBRIS, UNUSED PLANT MATERIAL, EMPTY PLANT CONTAINERS AND ALL EQUIPMENT FROM THE PROJECT SITE.

ANY SOIL, PEAT OR SIMILAR MATERIAL WHICH HAS BEEN BROUGHT ONTO ANY PAVED AREAS SHALL BE REMOVED PROMPTLY KEEPING THESE AREAS CLEAN AS THE WORK PROGRESSES. UPON COMPLETION OF THE PLANTING, ALL EXCESS SOIL, STONES AND DEBRIS WHICH HAS NOT BEEN PREVIOUSLY CLEANED UP SHALL BE REMOVED FROM THE SITE.

INSPECTION & ACCEPTANCE

THE LANDSCAPE CONTRACTOR SHALL NOTIFY THE LANDSCAPE ARCHITECT UPON COMPLETION OF THE WORK TO REQUEST A FINAL INSPECTION OF THE INSTALLATION AND PLANT MATERIALS. THE LANDSCAPE ARCHITECT AND/OR OWNER'S REPRESENTATIVE WILL NOTIFY THE LANDSCAPE CONTRACTOR OF ANY DEFICIENCIES VIA A "PUNCH LIST" WHICH SHALL BE PROMPTLY CORRECTED BY THE LANDSCAPE CONTRACTOR. CONDITIONAL LANDSCAPE ACCEPTANCE OF ALL PLANT MATERIAL AND WORKMANSHIP WILL BE GIVEN IN WRITING BY THE LANDSCAPE ARCHITECT AFTER ALL "PUNCH LIST" ITEMS HAVE BEEN CORRECTED AND ANY PLANT REPLACEMENTS MADE. THIS ACCEPTANCE WILL BEGIN THE WARRANTY PERIOD. DEFICIENCIES NOTED AFTER THE CONDITIONAL LANDSCAPE ACCEPTANCE SHALL BE RECTIFIED DURING THE WARRANTY PERIOD AND PRIOR TO FINAL LANDSCAPE ACCEPTANCE.

GUARANTEE AND REPLACEMENT

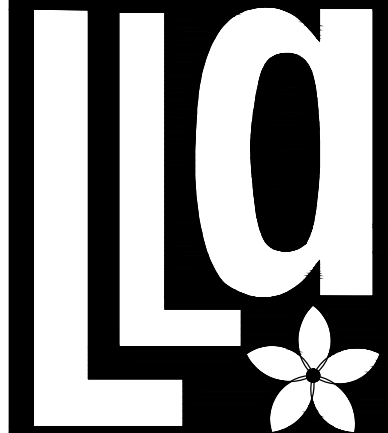
ALL PLANT MATERIAL AND WORKMANSHIP SHALL BE GUARANTEED BY THE LANDSCAPE CONTRACTOR FOR A PERIOD OF SIX (6) MONTHS FROM THE DATE OF CONDITIONAL LANDSCAPE ACCEPTANCE BY THE LANDSCAPE ARCHITECT. ANY PLANT MATERIAL OR WORKMANSHIP THAT IS DEFECTIVE OR HAS DIED SHALL BE REPLACED AT THE SAME SPECIFICATION NOTED IN THE APPROVED LANDSCAPE PLANS. REPLACEMENTS SHALL BE MADE BY THE LANDSCAPE CONTRACTOR WITHIN TWO (2) WEEKS OF NOTIFICATION BY THE LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE AT NO ADDITIONAL COST TO THE OWNER. WARRANTIES OF REPLACEMENT MATERIAL SHALL BE SIX (6) MONTHS FROM THE DATE OF REPLACEMENT INSTALLATION. DEATH OR DAMAGE RESULTING FROM LIGHTNING, VANDALISM OR AUTOMOBILES OR BY NEGLIGENCE BY THE OWNER SHALL NOT BE THE RESPONSIBILITY OF THE LANDSCAPE CONTRACTOR. UNLESS OTHERWISE ARRANGED WITH THE OWNER, THE CONTRACTOR IS RESPONSIBLE FOR GENERAL PLANT MAINTENANCE INCLUDING WATERING AND MOWING UP UNTIL THE DATE OF CONDITIONAL ACCEPTANCE.

PLANT MATERIAL SUBSTITUTION

THERE WILL BE NO SUBSTITUTION OF PLANT MATERIAL UNLESS AUTHORIZED BY THE LANDSCAPE ARCHITECT AND/OR OWNER. THIS INCLUDES SPECIES AND SIZE OF PLANT MATERIAL.



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Landscape Architect of Record

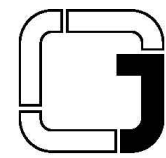
Jason M. Litterick, RLA
(LA0001677)

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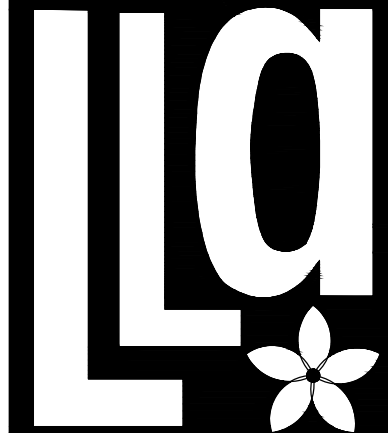
Designed: JML
Drawn: JML
Approved: JML
Date: 11/5/21
Job no.
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1/24/22
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3/30/22

Sheet No.

LP-4



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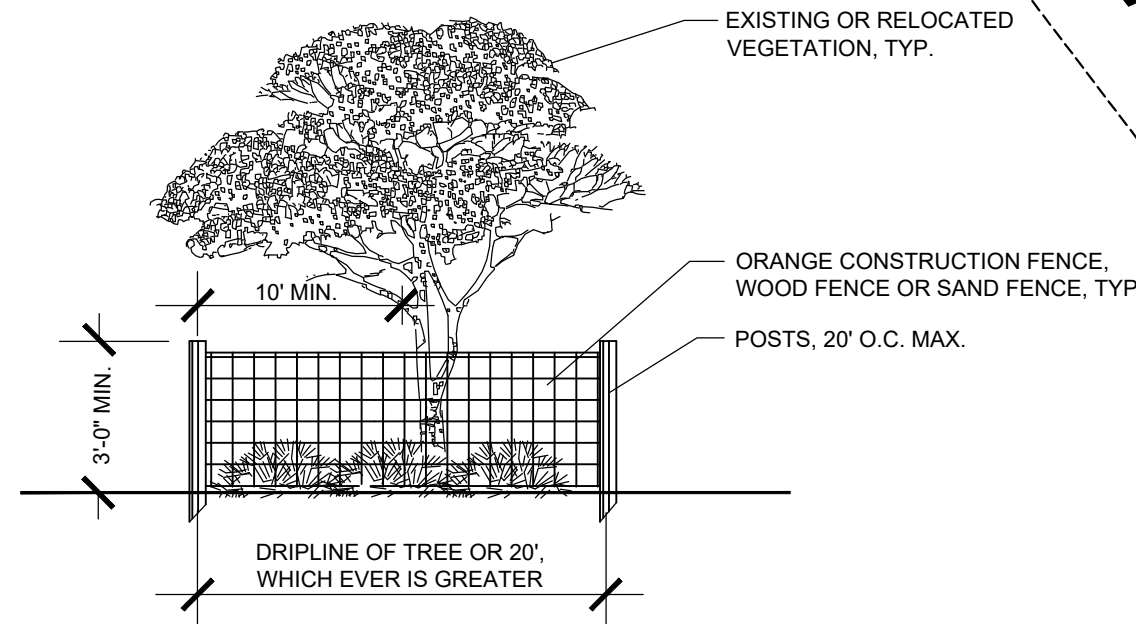
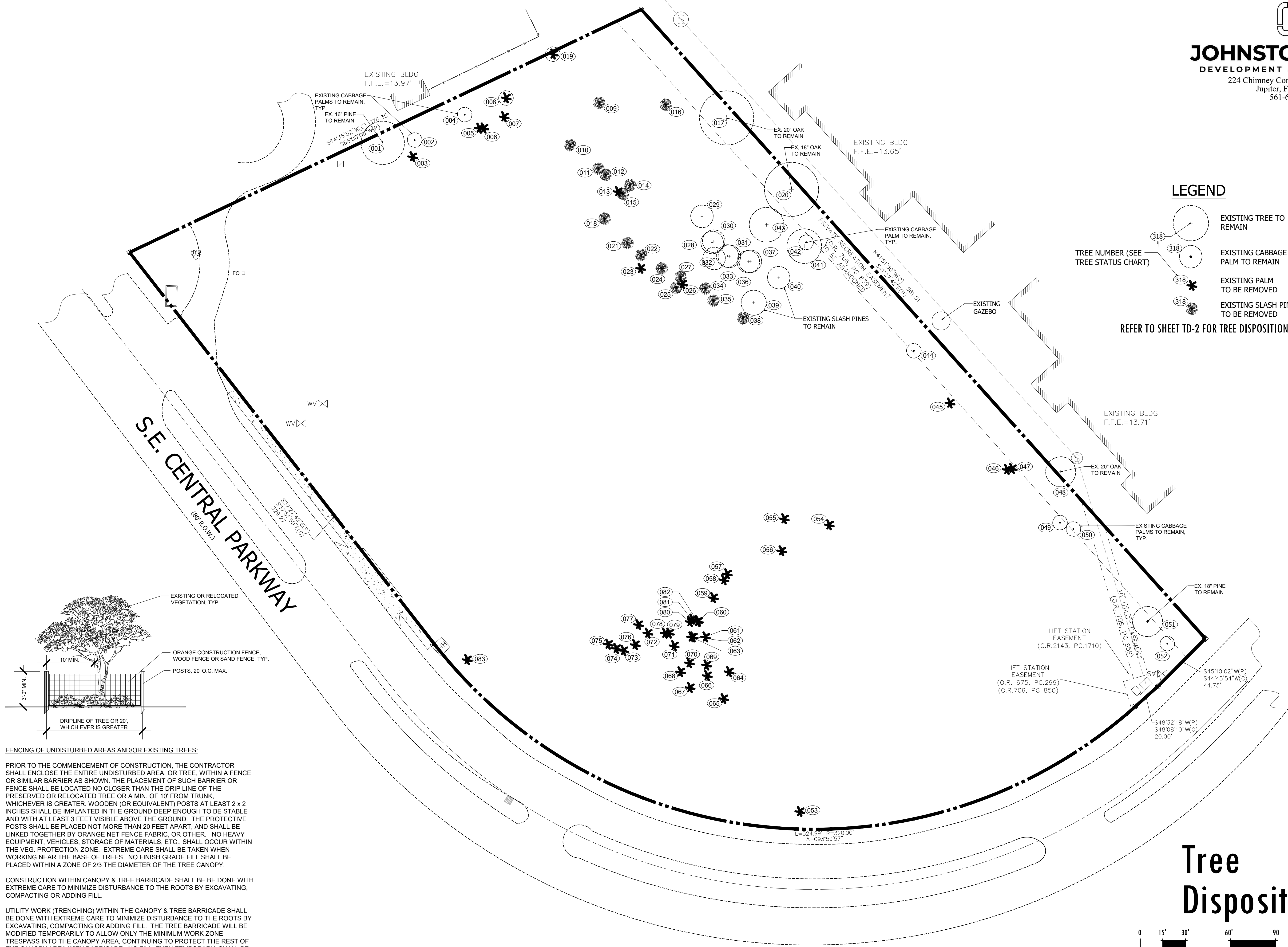


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LEGEND

- TREE NUMBER (SEE TREE STATUS CHART)
- EXISTING TREE TO REMAIN
 - EXISTING CABBAGE PALM TO REMAIN
 - EXISTING PALM TO BE REMOVED
 - EXISTING SLASH PINE TO BE REMOVED
- REFER TO SHEET TD-2 FOR TREE DISPOSITION CHART



FENCING OF UNDISTURBED AREAS AND/OR EXISTING TREES:

PRIOR TO THE COMMENCEMENT OF CONSTRUCTION, THE CONTRACTOR SHALL ENCLOSE THE ENTIRE UNDISTURBED AREA, OR TREE, WITHIN A FENCE OR SIMILAR BARRIER AS SHOWN. THE PLACEMENT OF SUCH BARRIER OR FENCE SHALL BE LOCATED NO CLOSER THAN THE DRIP LINE OF THE PRESERVED OR RELOCATED TREE OR A MIN. OF 10' FROM TRUNK, WHICHEVER IS GREATER. WOODEN (OR EQUIVALENT) POSTS AT LEAST 2 x 2 INCHES SHALL BE IMPLANTED IN THE GROUND DEEP ENOUGH TO BE STABLE AND WITH AT LEAST 3 FEET VISIBLE ABOVE THE GROUND. THE PROTECTIVE POSTS SHALL BE PLACED NOT MORE THAN 20 FEET APART, AND SHALL BE LINKED TOGETHER BY ORANGE NET FENCE FABRIC, OR OTHER. NO HEAVY EQUIPMENT, VEHICLES, STORAGE OF MATERIALS, ETC., SHALL OCCUR WITHIN THE VEG. PROTECTION ZONE. EXTREME CARE SHALL BE TAKEN WHEN WORKING NEAR THE BASE OF TREES. NO FINISH GRADE FILL SHALL BE PLACED WITHIN A ZONE OF 2/3 THE DIAMETER OF THE TREE CANOPY.

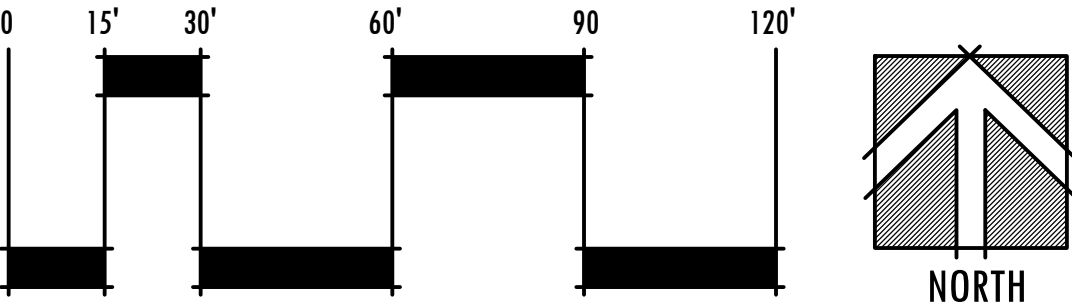
CONSTRUCTION WITHIN CANOPY & TREE BARRICADE SHALL BE DONE WITH EXTREME CARE TO MINIMIZE DISTURBANCE TO THE ROOTS BY EXCAVATING, COMPACTING OR ADDING FILL.

UTILITY WORK (TRENCHING) WITHIN THE CANOPY & TREE BARRICADE SHALL BE DONE WITH EXTREME CARE TO MINIMIZE DISTURBANCE TO THE ROOTS BY EXCAVATING, COMPACTING OR ADDING FILL. THE TREE BARRICADE WILL BE MODIFIED TEMPORARILY TO ALLOW ONLY THE MINIMUM WORK ZONE TRESPASS INTO THE CANOPY AREA, CONTINUING TO PROTECT THE REST OF THE CANOPY AREA WITH BARRICADE. NO FILL, EVEN TEMPORARY, SHALL BE PLACED IN ANY PROTECTED ZONE. AT THE CONCLUSION OF SAID ACTIVITY, THE WORKZONE SHALL BE CLEANED UP & TREE BARRICADES REPLACED TO THEIR ORIGINAL CONFIGURATION.

TREE PROTECTION DETAIL
N.T.S.

**Tree
Disposition Plan**

REFER TO SHEET TD-2 FOR TREE DISPOSITION CHART



Landscape Architect of Record

Jason M. Litterick, RLA
(LA0001677)

Scale: 1" = 30'-0"

Designed:	JML
Drawn:	JML
Approved:	JML
Date:	11/5/21
Job no.	
Revisions:	11/22/21
	1/7/22
	2/21/22

Sheet No.

TD-1

TREE DISPOSITION CHART

TREE NO.	SIZE	BOTANICAL NAME	COMMON NAME	DISPOSITION	DBH INCHES	
					REMOVED	
001	16"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
002	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
003	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
004	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
005	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
006	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
007	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
008	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
009	18"	PINUS ELLIOTTII	SLASH PINE	REMOVE	18"	
010	16"	PINUS ELLIOTTII	SLASH PINE	REMOVE	16"	
011	20"	PINUS ELLIOTTII	SLASH PINE	REMOVE	20"	
012	20"	PINUS ELLIOTTII	SLASH PINE	REMOVE	20"	
013	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
014	18"	PINUS ELLIOTTII	SLASH PINE	REMOVE	18"	
015	18"	PINUS ELLIOTTII	SLASH PINE	REMOVE	18"	
016	15"	PINUS ELLIOTTII	SLASH PINE	REMOVE	15"	
017	20"	QUERCUS VIRGINIANA LIVE OAK		REMAIN		
018	12"	PINUS ELLIOTTII	SLASH PINE	REMOVE	12"	
019	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
020	18"	QUERCUS VIRGINIANA LIVE OAK		REMAIN		
021	12"	PINUS ELLIOTTII	SLASH PINE	REMOVE	12"	
022	15"	PINUS ELLIOTTII	SLASH PINE	REMOVE	15"	
023	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
024	20"	PINUS ELLIOTTII	SLASH PINE	REMOVE	20"	
025	12"	PINUS ELLIOTTII	SLASH PINE	REMOVE	12"	
026	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
027	18"	PINUS ELLIOTTII	SLASH PINE	REMOVE	18"	
028	20"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
029	24"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
030	20"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
031	8"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
032	16"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
033	6"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
034	12"	PINUS ELLIOTTII	SLASH PINE	REMOVE	12"	
035	8"	PINUS ELLIOTTII	SLASH PINE	REMOVE	8"	
036	12"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
037	18"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
038	12"	PINUS ELLIOTTII	SLASH PINE	REMOVE	12"	
039	12"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
040	18"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
041	12"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
042	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
043	10"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
044	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
045	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
046	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
047	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
048	20"	QUERCUS VIRGINIANA LIVE OAK		REMAIN		
049	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
050	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
051	18"	PINUS ELLIOTTII	SLASH PINE	REMAIN		
052	8' C.T.	SABAL PALMETTO	CABBAGE PALM	REMAIN		
053	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
054	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
055	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
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058	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
059	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
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062	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
063	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
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065	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
066	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
067	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
068	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
069	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
070	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
071	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
072	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
073	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
074	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
075	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
076	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
077	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
078	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
079	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
080	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
081	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
082	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		
083	8' C.T.	SABAL PALMETTO	CABBAGE PALM	RELOCATE		

TOTAL RELOCATED CABBAGE PALMS:
41 PALMS

TOTAL REMOVED SLASH PINES:
16 PINES (246")

TREE REPLACEMENT FORMULA (SLASH PINES):
246" REMOVED X 1.5 = 369" / 2.5" = 148 TREES - *173 TREES = 0 TREES TO MITIGATE

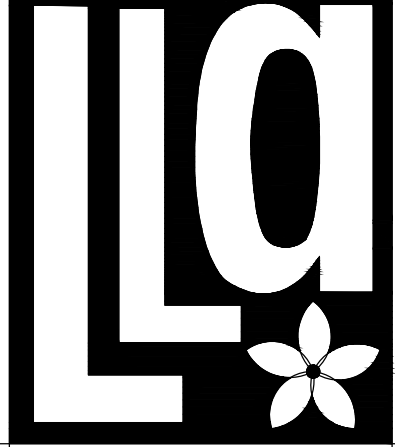
*DENOTES ADDITIONAL TREES ABOVE WHAT IS REQUIRED (142 TREES REQ'D., 315 TREES PROVIDED)



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Stuart, Florida

Landscape Architect of Record

Jason M. Litterick, RLA
(LA0001677)

Scale: Not to Scale

Designed: JML

Drawn: JML

Approved: JML

Date: 11/5/21

Job no.

Revisions: 11/22/21

1/7/22

2/21/22

Sheet No.

TD-2

Tree

Disposition Chart

PROJECT LOCATION: 751 SE CENTRAL PKWY, STUART, FL 34994
ZONING: R-3 RESIDENTIAL - MULTI-FAMILY/ DUPLEX
SIGN REGULATIONS REQUIRED/ PROVIDED:
 AREA OF SIGN NOT TO EXCEED 24 SF PER FACE/ 24 SF PROVIDED
 10' FRONT YARD SETBACK/ 15 FT PROVIDED
 6' MAX. HEIGHT/ 5 FT PROVIDED

MONUMENT SIGNS. MONUMENT SIGNS SHALL BE COMPOSED OF METAL FRAME, TEXTURED BRICK, CONCRETE BLOCK, OR OTHER MASONRY, AND FINISHED WITH STUCCO OR OTHER TEXTURED MATERIAL, AND HAVING A SOLID BASE. THE TOP EDGE OF THE SIGN SHALL BE NO HIGHER THAN ELSEWHERE PERMITTED IN THIS CODE, AND THE SKIRT AND BASE SHALL BE NO SMALLER THAN 80 PERCENT OF THE SIGN WIDTH NOR GREATER THAN 120 PERCENT OF THE SIGN WIDTH. A MONUMENT SIGN SHALL NOT BE USED AS A FRAME FOR A CABINET SIGN THAT EXCEEDS 25 PERCENT OF THE SIGN AREA.

DESIGNER:
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URBAN PLANNER &
ARCHITECTURAL DESIGNER
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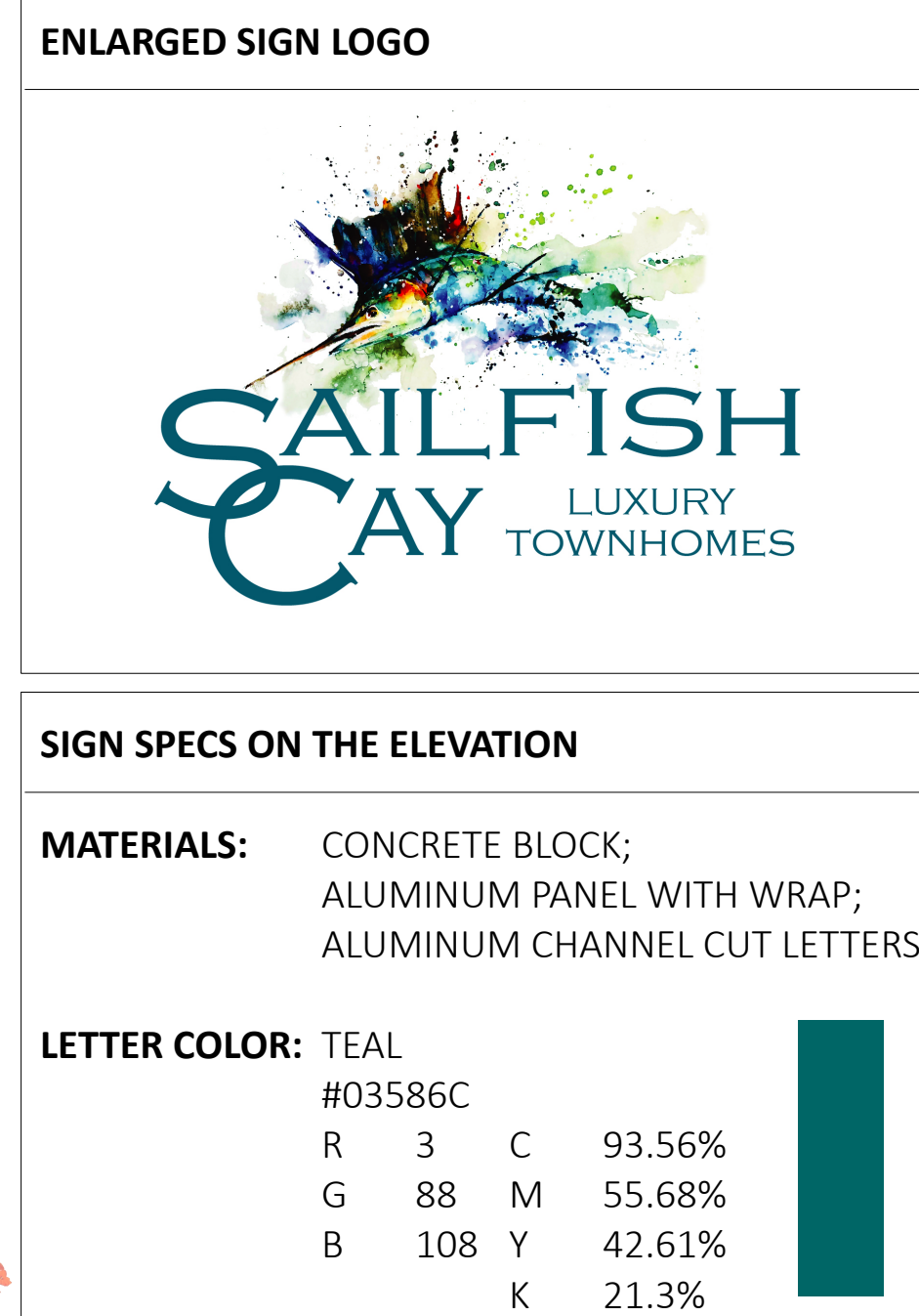
A 3D line drawing of a rectangular block on a curved track. The block is positioned on a curved surface that resembles a track or a ramp. To the left of the curved surface, there are five parallel lines extending outwards, suggesting a series of steps or a platform. The drawing is simple, using only black outlines on a white background.

[illegible][illegible]

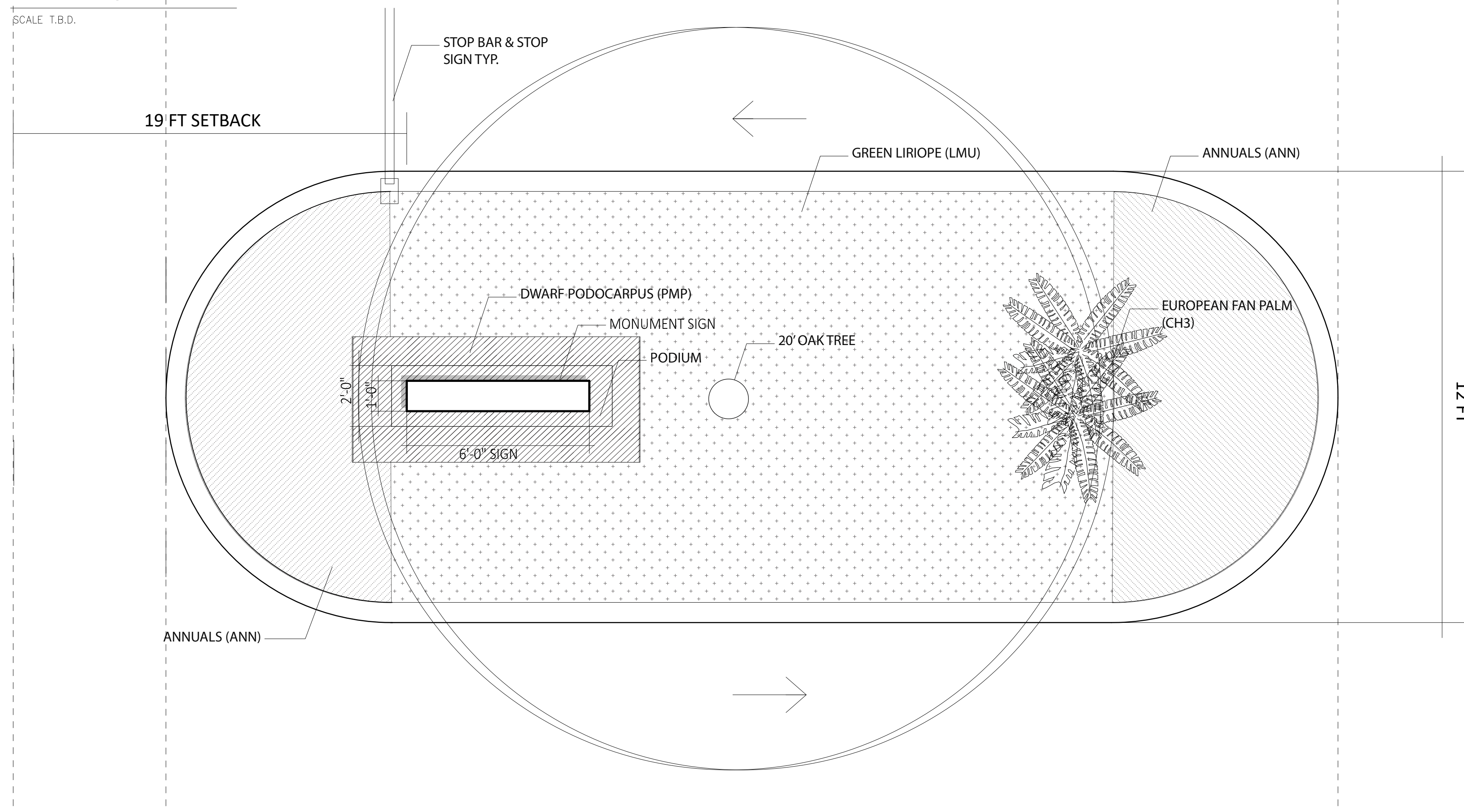
DATE	10/20/2021
DRAWN BY	CLOPEZ
JOB NO.	TBD
SCALE	AS INDICATED

MS-1

Page 160 of 518



SCALE T.B.D.

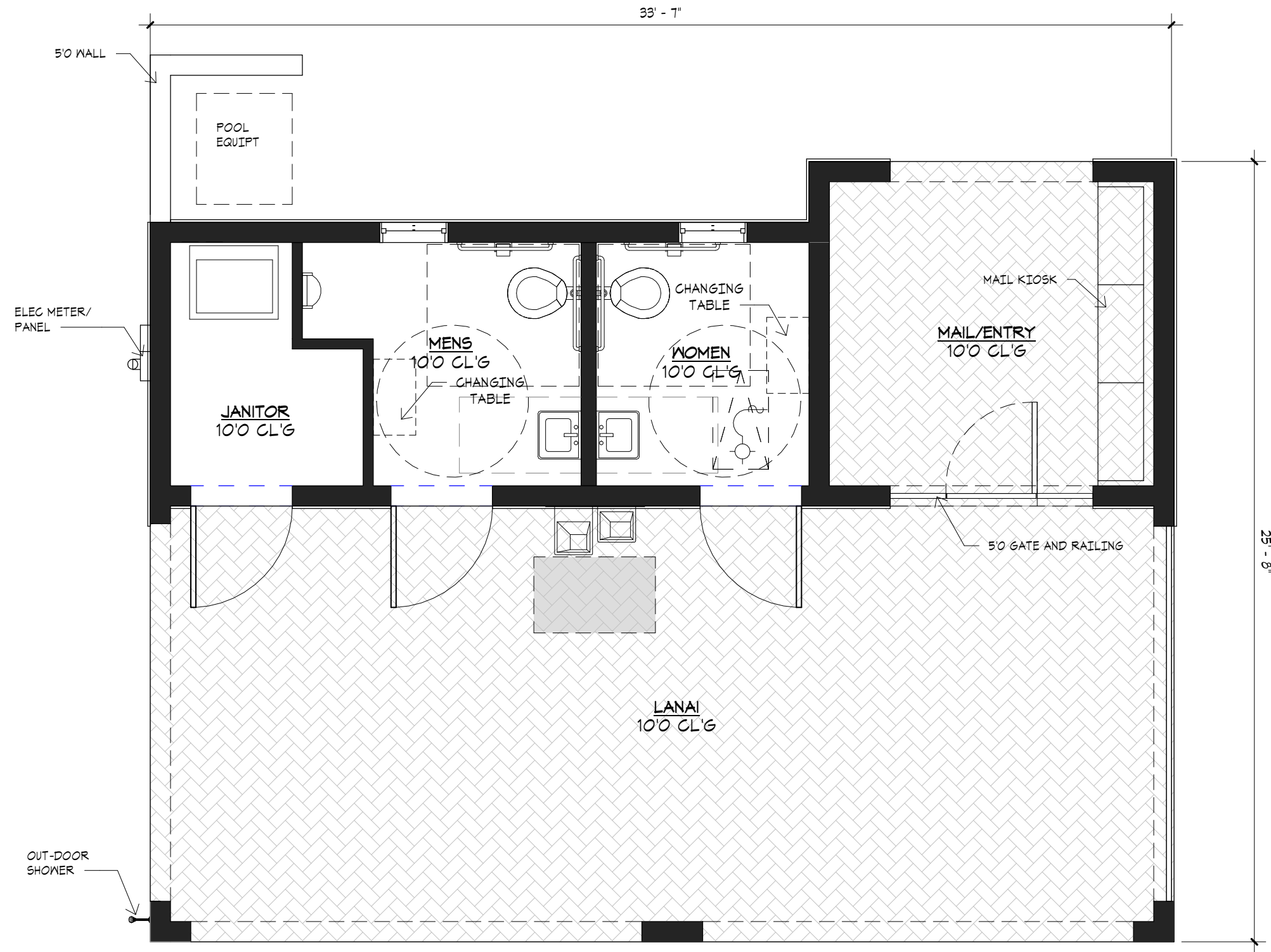


SCALE T.B.D.

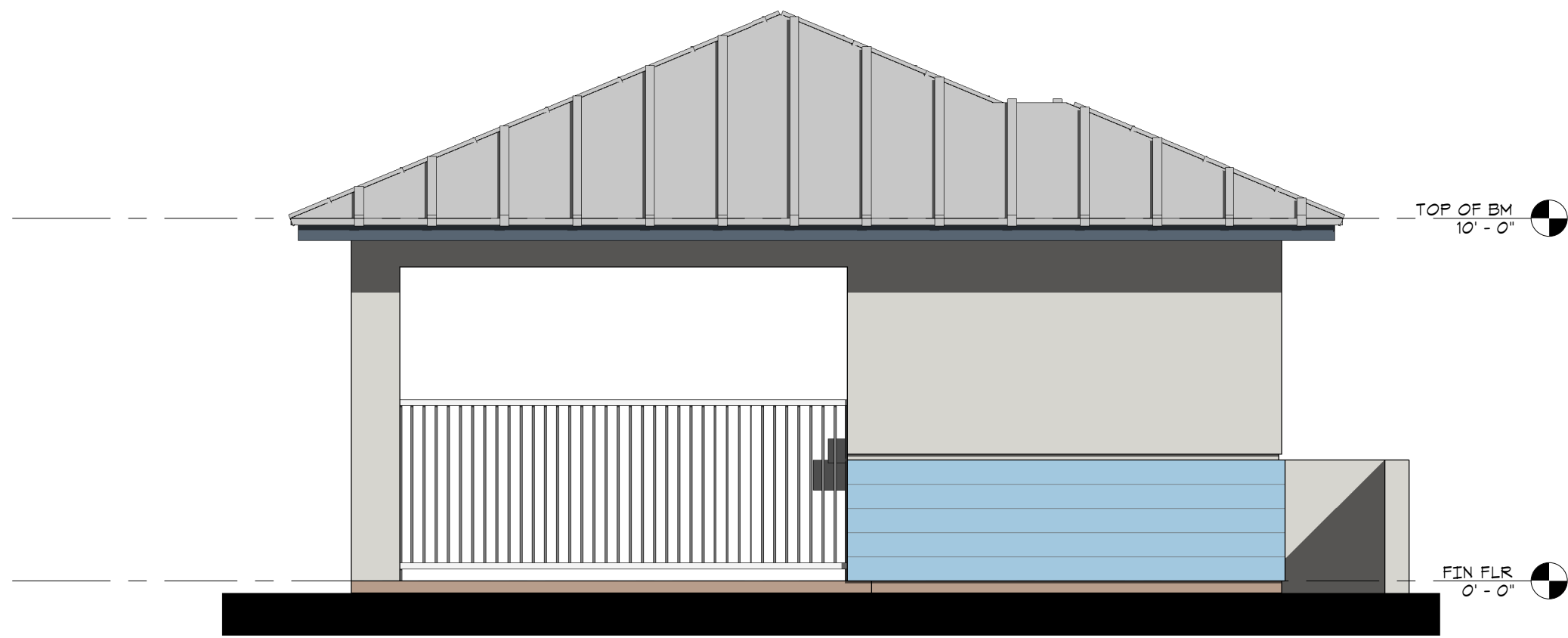
NOTES:
1. SEE LANDSCAPE PLANS FOR DETAILS.
2. EXTERNAL LIGHTING.

I:\STEVE GRAVITT\CABANA3.DWG

AREA CALCULATION	
	AREA
ENTRY	136 SF
LANAI	483 SF
REST RM/JANITOR	202 SF
Grand total	821 SF



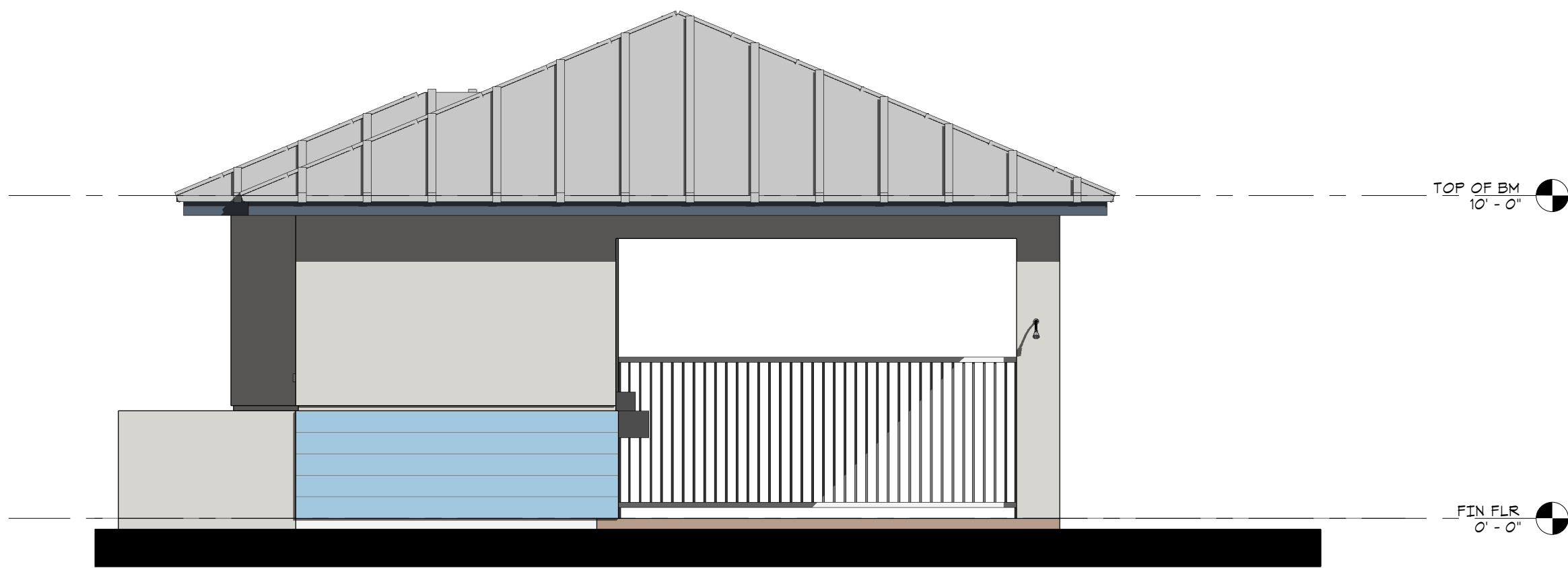
1 FIN FLR
1/4" = 1'-0"



6 LEFT ELEVATION
1/4" = 1'-0"



3 REAR ELEVATION
1/4" = 1'-0"



5 RIGHT ELEVATION
1/4" = 1'-0"



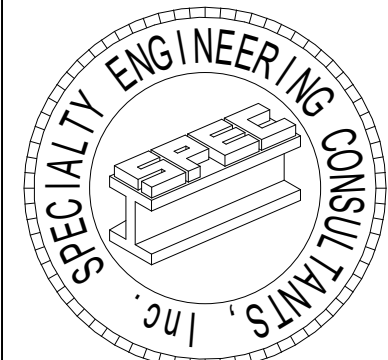
4 FRONT ELEVATION
1/4" = 1'-0"

CLIENT INFORMATION

POOL CABANA

SHEET INFORMATION

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA



SPECIALTY ENGINEERING
CONSULTANTS, Inc.

1599 SW 30th AVE.
SUITE #20
BOYNTON BEACH, FL 33426

DADE - BROWARD - PALM BEACH
FL, CA #009217

561 - 752 - 5440 OFFICE
561 - 752 - 5542 FAX

FILE NAME:

SCALE

DATE 12/21/2021

RVD. BY Checker

DRWN. BY Author

REVISION

SEAL
D ADAM LeBLANC, PE FL #77012

SHEET #

A-1

I:\STEVE GRAVITE\SAILFISH\4-UNIT_BUILDING-B.rvt



PLAN C

BUILDING COLOR		
FRONT DOOR	MOODY BLUE	SN 6221
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	AVIARY BLUE	SN 6710
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

PLAN A

BUILDING COLOR		
FRONT DOOR	MOODY BLUE	SN 6221
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	AVIARY BLUE	SN 6710
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

PLAN B

BUILDING COLOR		
FRONT DOOR	EXTRA WHITE	SN 1008
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	AVIARY BLUE	SN 6710
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

PLAN A

BUILDING COLOR		
FRONT DOOR	MOODY BLUE	SN 6221
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	AVIARY BLUE	SN 6710
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

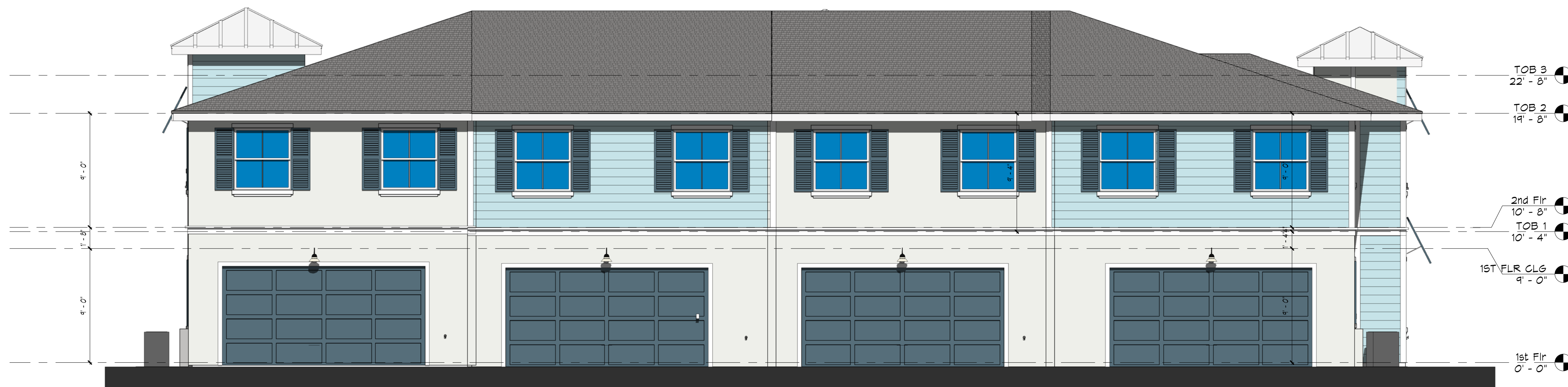
① FRONT
3/16" = 1'-0"



③ LEFT SIDE ELEVATION
3/16" = 1'-0"



④ RIGHT ELEVATION
3/16" = 1'-0"



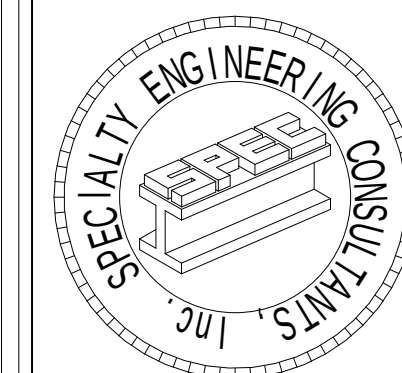
② REAR
3/16" = 1'-0"

ELEVATIONS

SHEET INFORMATION
4-UNIT
BUILDING 1

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

CLIENT INFORMATION



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BOYNTON BEACH, FL 33426

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FL, CA. #009217

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FILE NAME:

SCALE

DATE 10/20/2021

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DRWN. BY Author

REVISION

SEAL
D. ADAM LeBLANC PE #77012

SHEET #

A-2

I:\STEVE GRAVITE\SAILFISH\4-UNIT_BUILDING.rvt



PLAN C

PLAN A

PLAN A

PLAN C

1 FRONT
3/16" = 1'-0"



3 LEFT SIDE ELEVATION
3/16" = 1'-0"



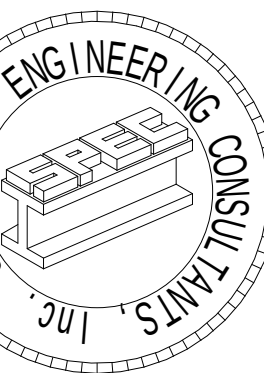
4 RIGHT SIDE ELEVATION
3/16" = 1'-0"



2 REAR
3/16" = 1'-0"

ELEVATIONS

CLIENT INFORMATION



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FILE NAME:

SCALE

DATE 10/21/2021

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SHEET #

A-2

SHEET INFORMATION
4-UNIT
BUILDING
TYPE II

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

I:\STEVE GRAVITE\GAILFISH 5-UNIT BUILDING.rvt



PLAN C

PLAN B

PLAN A

PLAN B

PLAN C

① FRONT
3/16" = 1'-0"



③ LEFT SIDE ELEVATION
3/16" = 1'-0"



④ RIGHT SIDE ELEVATION
3/16" = 1'-0"



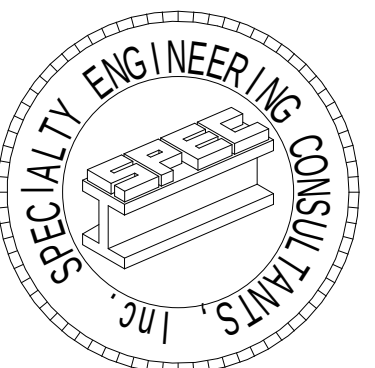
② REAR
3/16" = 1'-0"

ELEVATIONS

SHEET INFORMATION
5-UNIT
BUILDING

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

CLIENT INFORMATION



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FILE NAME:

SCALE

DATE 10/21/2021

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D. ADAM LeBLANC PE #77012

SHEET #
A-2

I:\STEVE GRAVITE\SAILFISH-6-UNIT BUILDING.rvt



PLAN C

PLAN B

PLAN A

PLAN B

PLAN A

PLAN C

① FRONT
3/16" = 1'-0"



③ LEFT SIDE ELEVATION
3/16" = 1'-0"



④ RIGHT SIDE ELEVATION
3/16" = 1'-0"



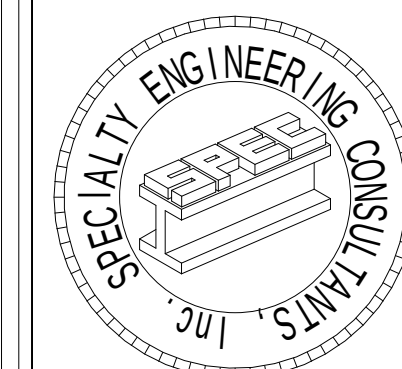
② REAR
3/16" = 1'-0"

ELEVATIONS

SHEET INFORMATION
6-UNIT
BUILDING

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

CLIENT INFORMATION



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FILE NAME:

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DATE 10/21/2021

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REVISION

REVISION

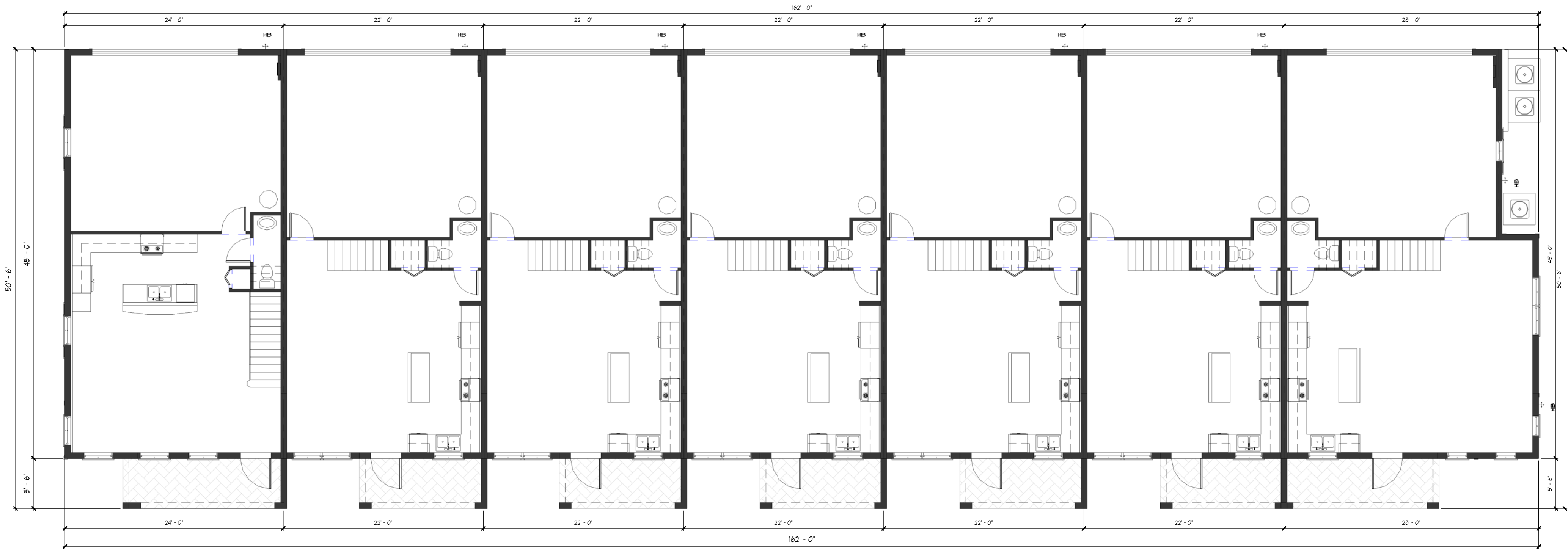
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SHEET #

A-2



② 2nd Flr
1/8" = 1'-0"



PLAN B

PLAN A

PLAN A

PLAN A

PLAN A

PLAN A

PLAN C

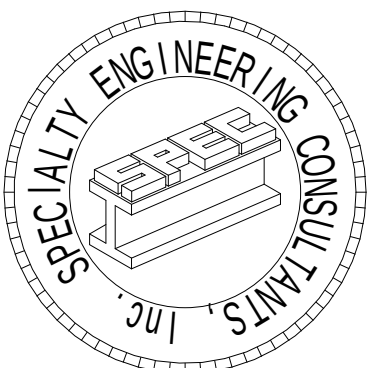
① 1ST FLOOR PLAN
1/8" = 1'-0"

FLOOR PLANS

SHEET INFORMATION
7-UNIT
BUILDING

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

CLIENT INFORMATION



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FILE NAME:

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DATE 11/01/2021

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SHEET #

A-1

I:\STEVE GRAVITE\SAILFISH\7-UNIT_BUILDING-2.rvt



PLAN B

PLAN A

① FRONT
1/8" = 1'-0"

PLAN A

PLAN A

PLAN A

PLAN C

BUILDING COLOR		
FRONT DOOR	EXTRA WHITE	SN 1008
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	ALUMINUM BLUE	SN 877B
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

BUILDING COLOR		
FRONT DOOR	MOODY BLUE	SN 6221
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	ALUMINUM BLUE	SN 877B
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221

BUILDING COLOR		
FRONT DOOR	MOODY BLUE	SN 6221
BODY STUCCO	EXTRA WHITE	SN 1008
STUCCO SIDING	ALUMINUM BLUE	SN 877B
ROOF	ASPHALT SHINGLE	GREY
FASCIA/TRIM	EXTRA WHITE	SN 1008
SHUTTER	MOODY BLUE	SN 6221
GARAGE DOOR	MOODY BLUE	SN 6221



③ LEFT SIDE ELEVATION
1/8" = 1'-0"



④ RIGHT SIDE ELEVATION
1/8" = 1'-0"



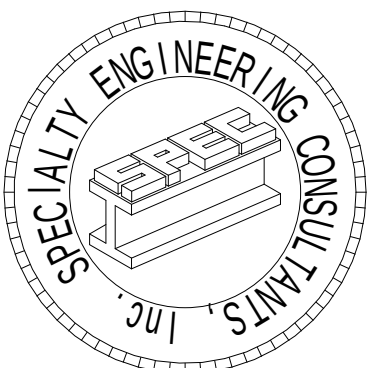
② REAR
1/8" = 1'-0"

ELEVATIONS

SHEET INFORMATION
7-UNIT
BUILDING

PROJECT INFORMATION
SAILFISH CAY
STUART, FLORIDA

CLIENT INFORMATION



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FILE NAME:

SCALE

DATE 10/21/2021

RVD. BY Checker

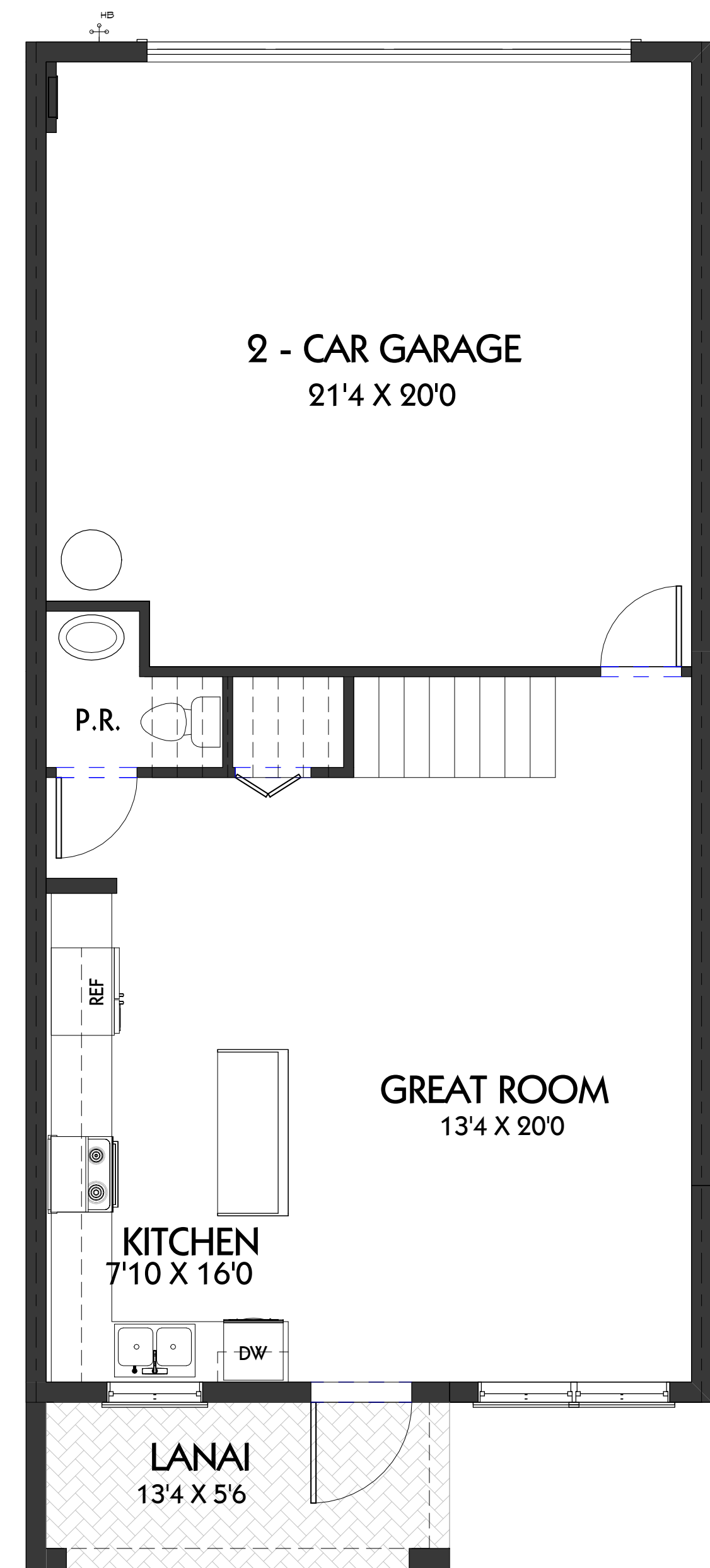
DRWN. BY Author

REVISION

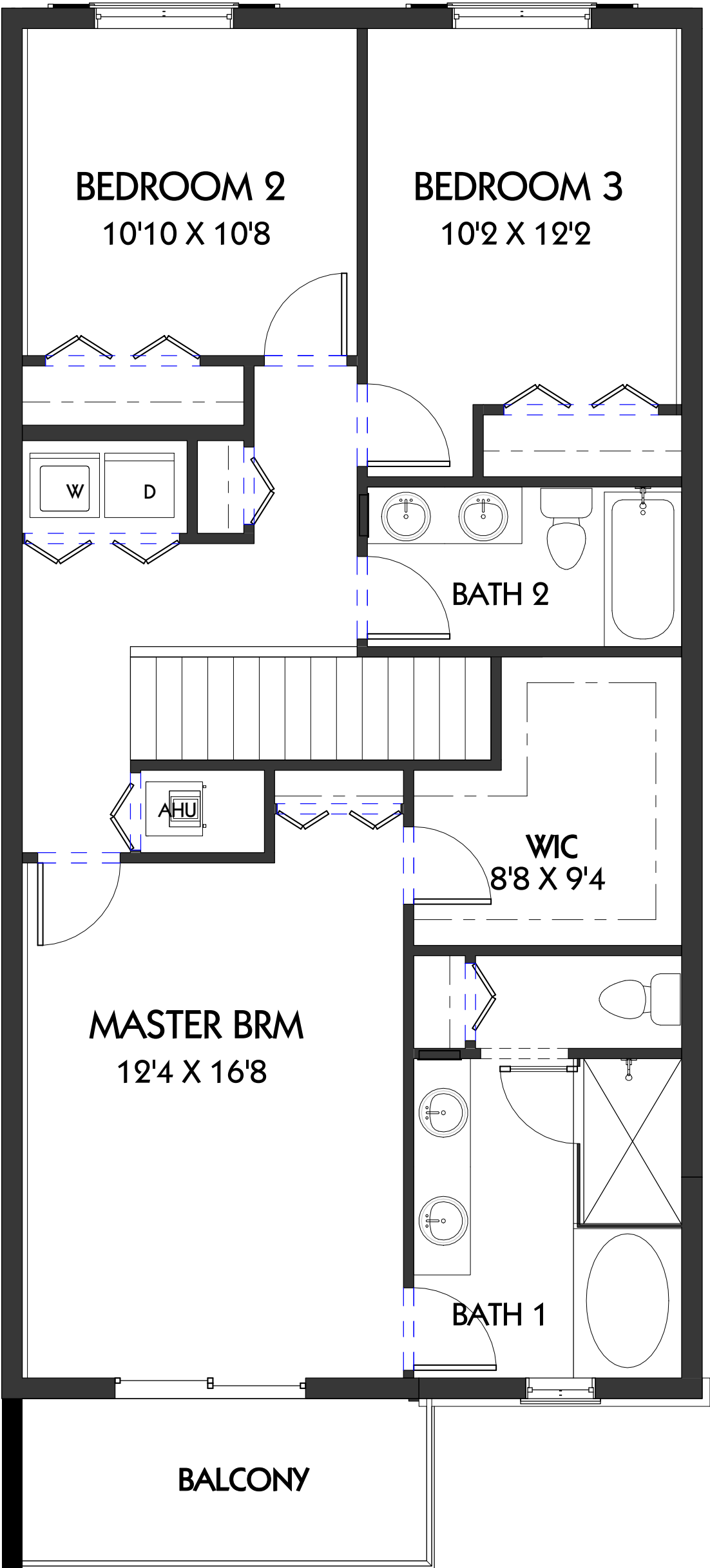
SEAL
D. ADAM LeBLANC, PE FL #77012

SHEET #

A-2



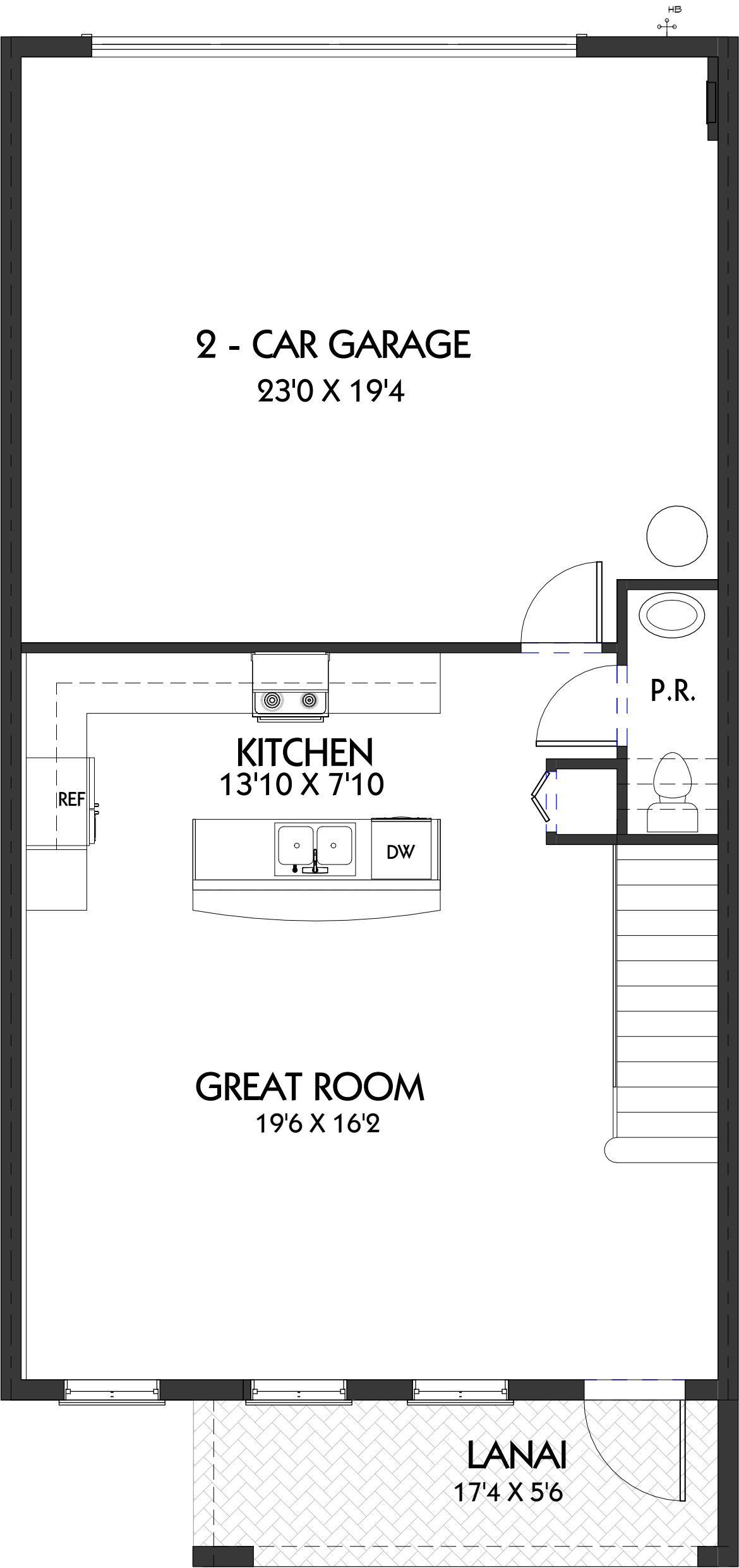
① 1ST FLOOR
1/4" = 1'-0"



② 2ND FLOOR
1/4" = 1'-0"

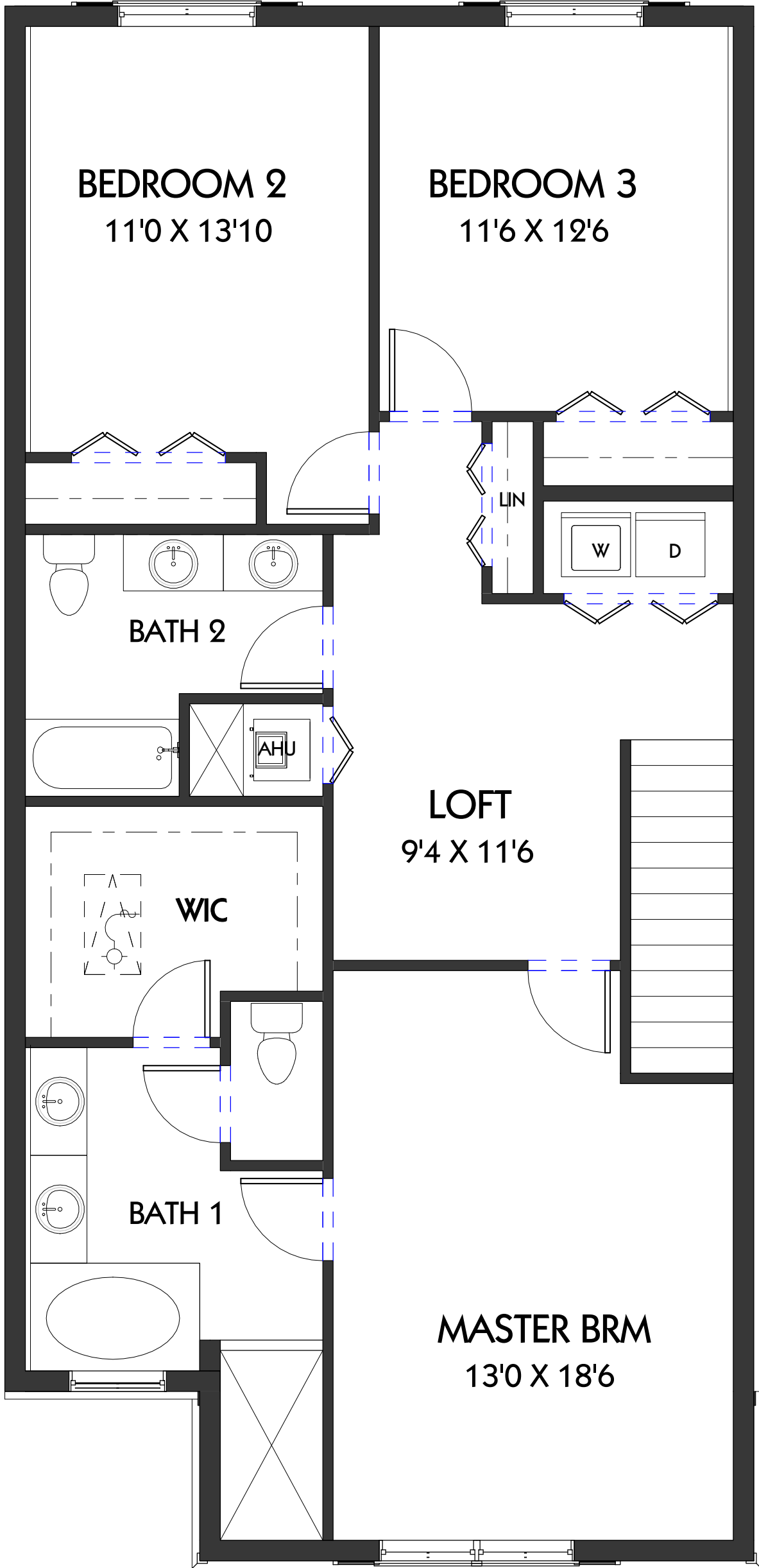
PLAN A

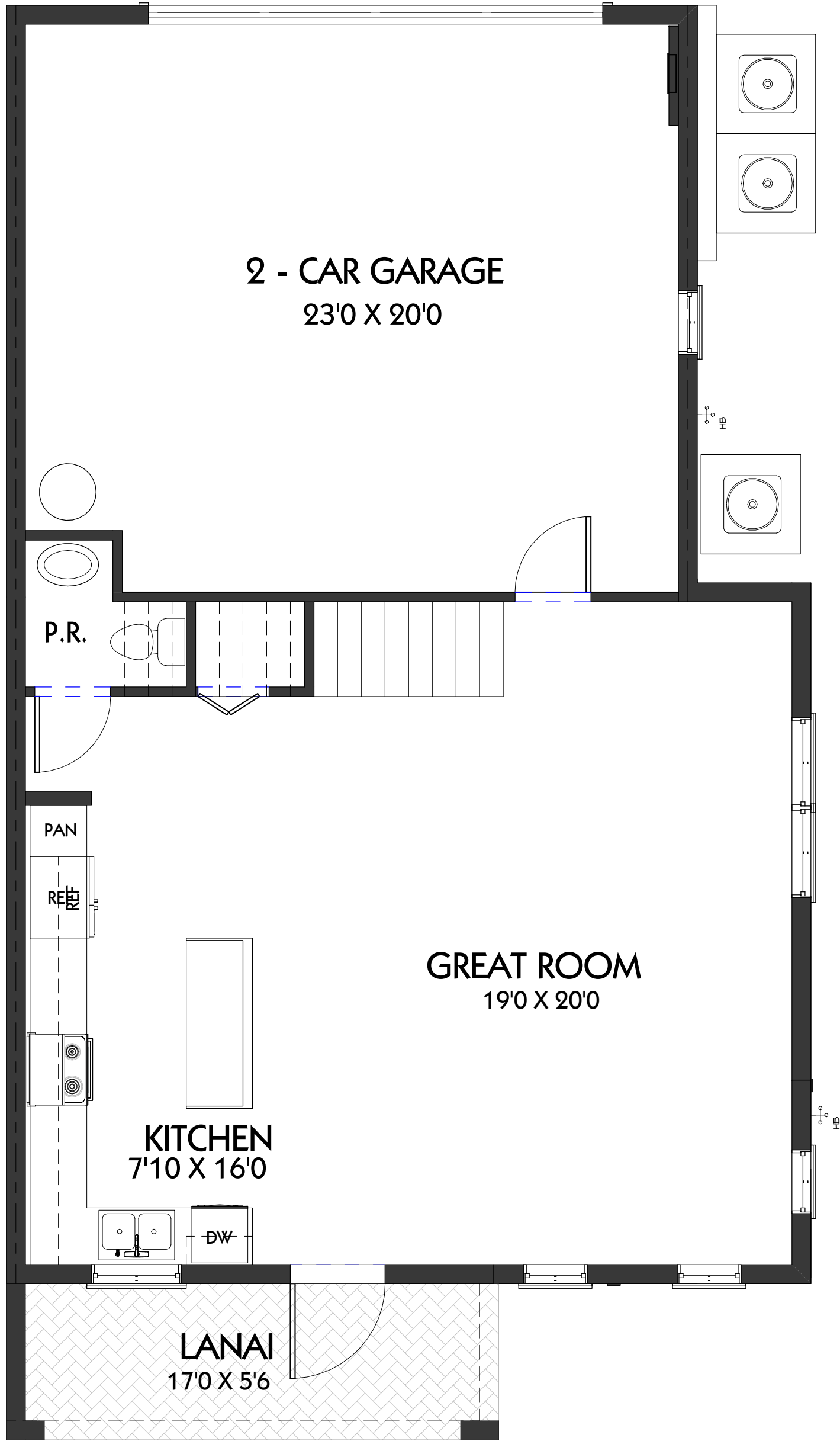
AREA CALCULATION	
Comments	Area
1ST FLOOR A/C	544 SF
2ND FLOOR A/C	953 SF
	1497 SF
BALCONY	73 SF
GARAGE	447 SF
LANAI	73 SF
	594 SF
Grand total	2091 SF



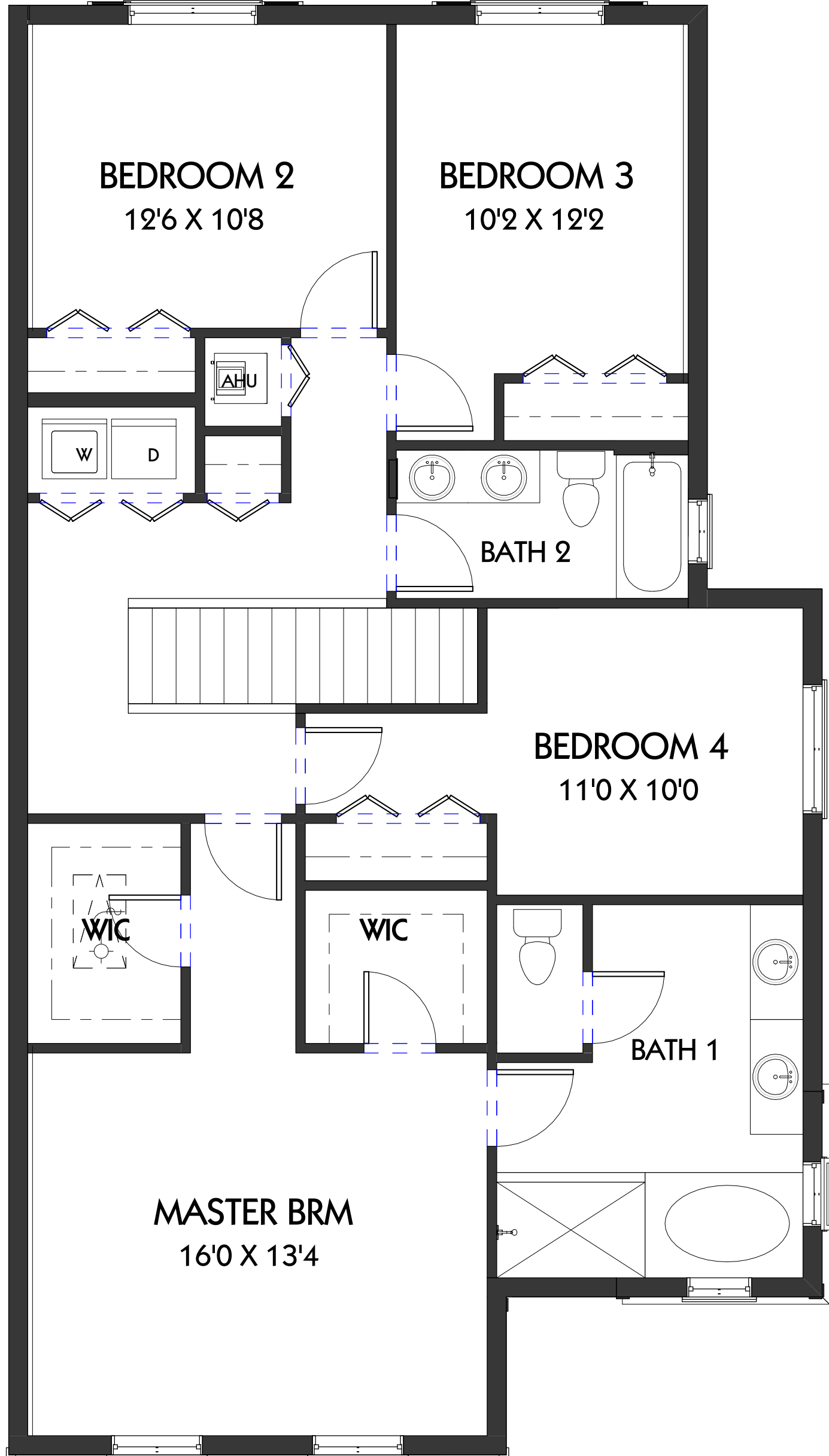
PLAN B

AREA CALCULATION	
Comments	Area
1ST FLOOR A/C	600 SF
2ND FLOOR A/C	1121 SF
	1721 SF
GARAGE	466 SF
LANAI	97 SF
	563 SF
	2291 SF





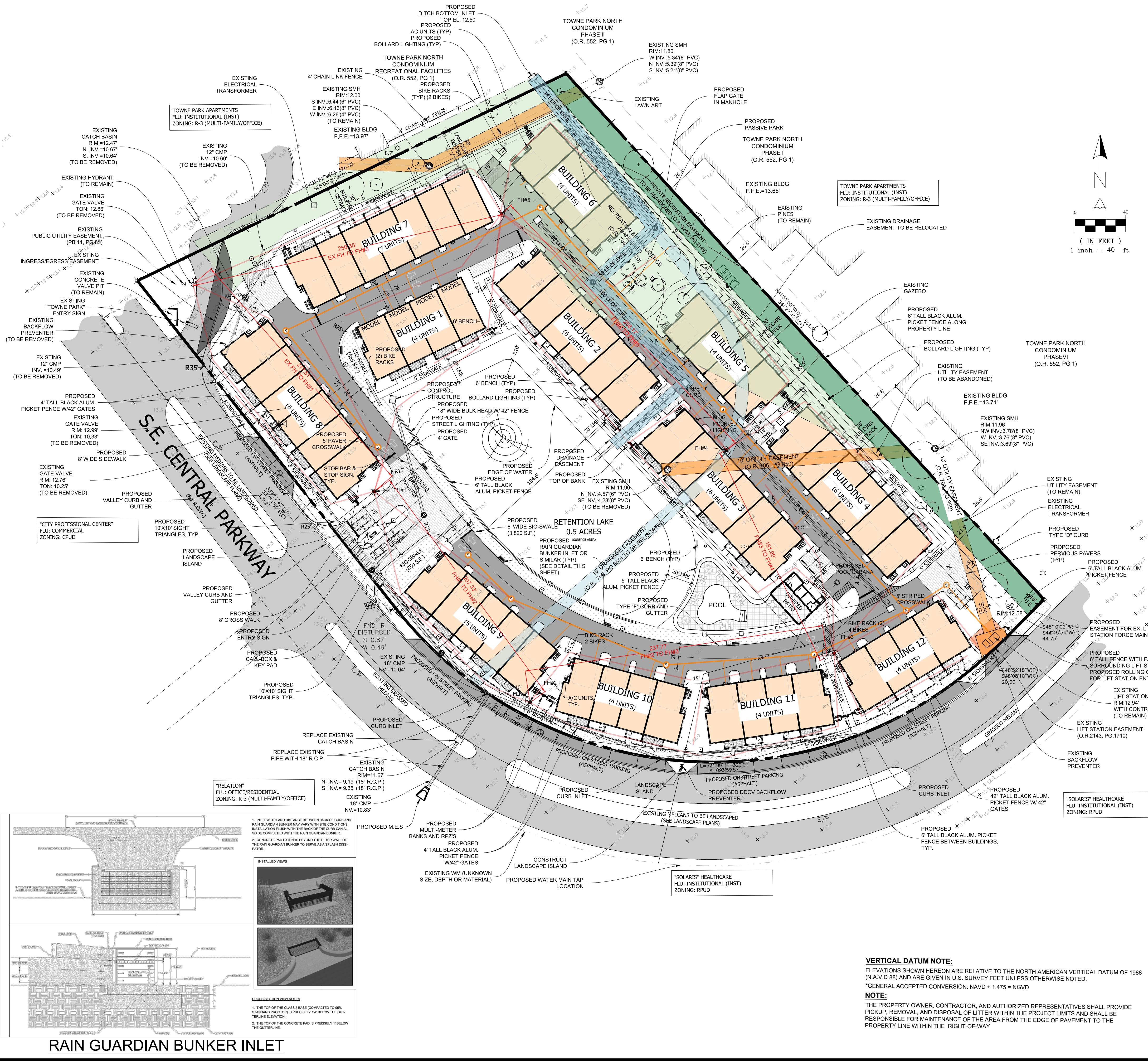
① 1ST FLOOR
1/4" = 1'-0"



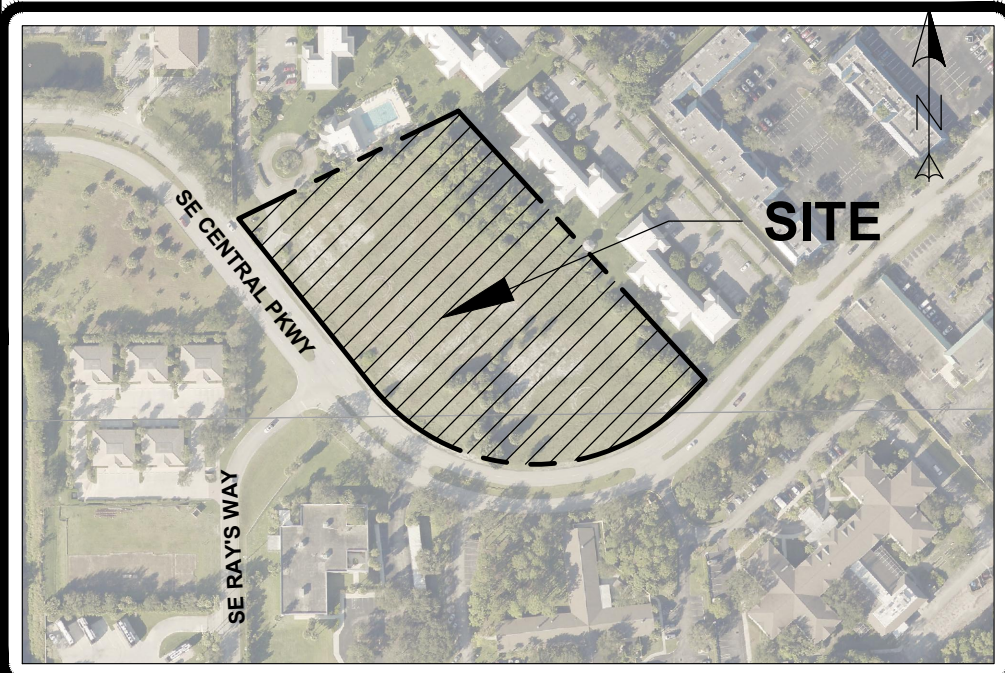
② 2ND FLOOR
1/4" = 1'-0"

PLAN C

AREA CALCULATION	
Comments	Area
1ST FLOOR A/C	691 SF
2ND FLOOR A/C	1233 SF
	1923 SF
GARAGE	408 SF
LANAI	95 SF
	503 SF
Grand total	2506 SF



THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL, AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS AND SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE RIGHT-OF-WAY



LOCATION MAP

SCALE: 1:500

SITE DATA
LEGAL DESCRIPTION
TOWNE PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 11, PAGE
85, PUBLIC RECORDS OF MARTIN COUNTY FLORIDA.

CONTAINING 4.88 ACRES, MORE OR LESS.

CONTAINING 4.88 ACRES, MORE OR LESS.

PARCEL ID #: 09-38-41-011-000-00001-1
PROJECT NAME: SAILFISH CAY

<u>OWNER:</u>	JOHNSTON 751 SE CENTRAL PARKWAY STUART, FLORIDA 34994
<u>FUTURE LAND USE:</u>	INSTITUTIONAL
<u>ZONING:</u>	R-3 RESIDENTIAL-MULTI-FAMILY/DUPLEX

<u>CONTROL ELEVATION:</u>	8.50 NAVD
<u>FINISH FLOOR ELEV:</u>	14.00 NAVD
<u>MIN PAVEMENT:</u>	12.50 NAVD

PROVIDER OF UTILITIES:

WATER:	STUART
WASTEWATER:	STUART
IRRIGATION:	N/A
SOLID WASTE:	CITY OF STUART

DRAINAGE STATEMENT:

STORMWATER WILL BE COLLECTED IN A SERIES OF CATCH BASINS CONNECTED VIA UNDERGROUND CULVERTS WHICH CONVEY THE STORMWATER TO AN ON SITE DETENTION POND. THE DETENTION POND WILL TREAT AND ATTENUATE STORMWATER PRIOR TO DISCHARGING OFF SITE WITH AN ULTIMATE OUTFALL OF THE POPPLETON CREEK. AN EXISTING 10" DRAINAGE EASEMENT RUNS THROUGH THE CENTER OF THE PROPERTY. THE EASEMENT IS DEEDED TO THE TOWN PARK NORTH CONDOMINIUM ASSOCIATION INC., WHICH PROVIDES STORMWATER RELIEF FOR THE TOWN PARK NORTH PHASE 1 THRU VI. ONCE THE DRAINAGE EASEMENT IS RELOCATED, OFF SITE RUN-OFF WILL BE CAPTURED AND CONVEYED THROUGH THE PROPOSED STORMWATER MANAGEMENT SYSTEM OF THE SUBJECT PROPERTY WITH THE ULTIMATE OUTFALL BEING THE POPPLETON CREEK.

SOLID WASTE:
BASED ON THE INTENDED USE OF THE BUILDING, THIS PROJECT WILL UTILIZE INDIVIDUAL GARBAGE CANS TO BE USED FOR SOLID WASTE PICKUP

UTILITY STATEMENT:

1. UTILITIES FOR THE PROJECT WILL BE PROVIDED BY THE CITY OF STUART UTILITIES. WASTEWATER SERVICE WILL BE PROVIDED BY EXISTING GRAVITY SEWER SUB STATION OUTS THAT ARE LOCATED ON THE EAST SIDE OF THE PROPERTY. THE EXISTING 12" DRAINAGE WATER MAIN AND STATION LOCATED AT THE SOUTHEAST CORNER OF THE PROPERTY WILL BE MAINTAINED. FIRE SUPPRESSION WILL BE PROVIDED BY THE EXISTING WATER MAIN LOCATED ON THE EAST SIDE OF THE CENTRAL PARKWAY. PROPOSED WATER SERVICE WILL BE PROVIDED INDIVIDUALLY THROUGH THE CENTRAL PARKWAY TO EACH OF THE PROPOSED BUILDINGS WITHIN THE PRIVATELY OWNED WATER METER BOXES. A DDOV IS PROPOSED AT THE PROPERTY LINE. THE DDOV WILL BE CONSTRUCTED ADJOINING THE ROW AND WILL BE PRIVATELY OWNED.
2. ALL ON-SITE UTILITY INFRASTRUCTURE WOULD REMAIN PRIVATELY OWNED & MAINTAINED. THE CITY OF STUART WILL NOT TAKE OWNERSHIP OF THE PROPOSED ROADWAYS, WATER MAINS, WASTEWATER MAINS, DRAINAGE, SANITARY SEWER INFRASTRUCTURE, AND STORMWATER INFRASTRUCTURE LOCATED WITHIN PRIVATELY OWNED PROPERTY.
3. IF PARTS ADJACENT TO CITY OF STUART WASTE RECEPTABLES, INCLUDING RECYCLING SHALL BE STORED IN GARAGES OR AT CITY OF STUART APPROVED CART RECEPTABLE CONTAINER.
4. ALL UTILITY DESIGN, ETC. MUST MEET THE MOST RECENT CITY OF STUART WATER AND SEWER STANDARD SPECIFICATIONS AND DETAILS (DATED OCTOBER 2021).

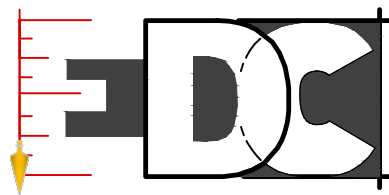
LANDSCAPE:
REFER TO LANDSCAPE PLAN BY OTHERS. (NO PLANS AVAILABLE)

ACCESSIBILITY AND ADA COMPLIANCE:
ALL SIDEWALKS AND RAMPS WILL MEET FDOT AND ADA REQUIREMENTS

NOTE: ALL PROPOSED SIDEWALKS NOT LOCATED WITHIN THE SE CENTRAL PARKWAY
RIGHT-OF-WAY WILL REMAIN PRIVATELY OWNED AND MAINTAINED

LEGEND

	EXISTING METER		EXISTING UTILITY POLE
	PROPOSED SIGN		PROPOSED DRAINAGE INLET
	PROPOSED MITERED END SECTION		EXIST. DRAINAGE INLET
	HANDICAP PARKING SYMBOL		EXISTING STREET LIGHT
	EXISTING CONCRETE		PROPOSED LIGHT POLE (SINGL
	EXISTING PAVEMENT		DRAINAGE FLOW ARROW
	PROPOSED CONCRETE		PROPOSED LIGHT POLE (DOUB
	PROPOSED PAVEMENT		PARKING STALL COUNT
	PROPOSED 150' HOSE RUN		EXISTING DRAINAGE
			PROPOSED DRAINAGE PIPE



ENGINEERS & SURVEYORS

PORT SAINT LUCIE OFFICE
10250 SW VILLAGE PARKWAY - SUITE 201
PORT SAINT LUCIE, FL 34987
☎ 772-462-2455

www.edc-inc.com

F.B.P.E. CERTIFICATE OF AUTHORIZATION 9935
I.B. CERTIFICATE OF AUTHORIZATION 8098

DESIGNED BY	JUL
DRAWN BY	JUL
FILENAME	21-353 sailfish cay r8.dwg
PEP	
LAYOUT	
AS SHOWN	
SCALE	
	30MARCH2022

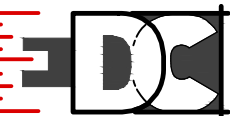
SAILFISH CAY
751 SE CENTRAL PARKWAY MF

PRELIMINARY ENGINEERING PLAN

FLORIDA

STUART

R.J. KENNEDY, P.E. (DATE)
#56218

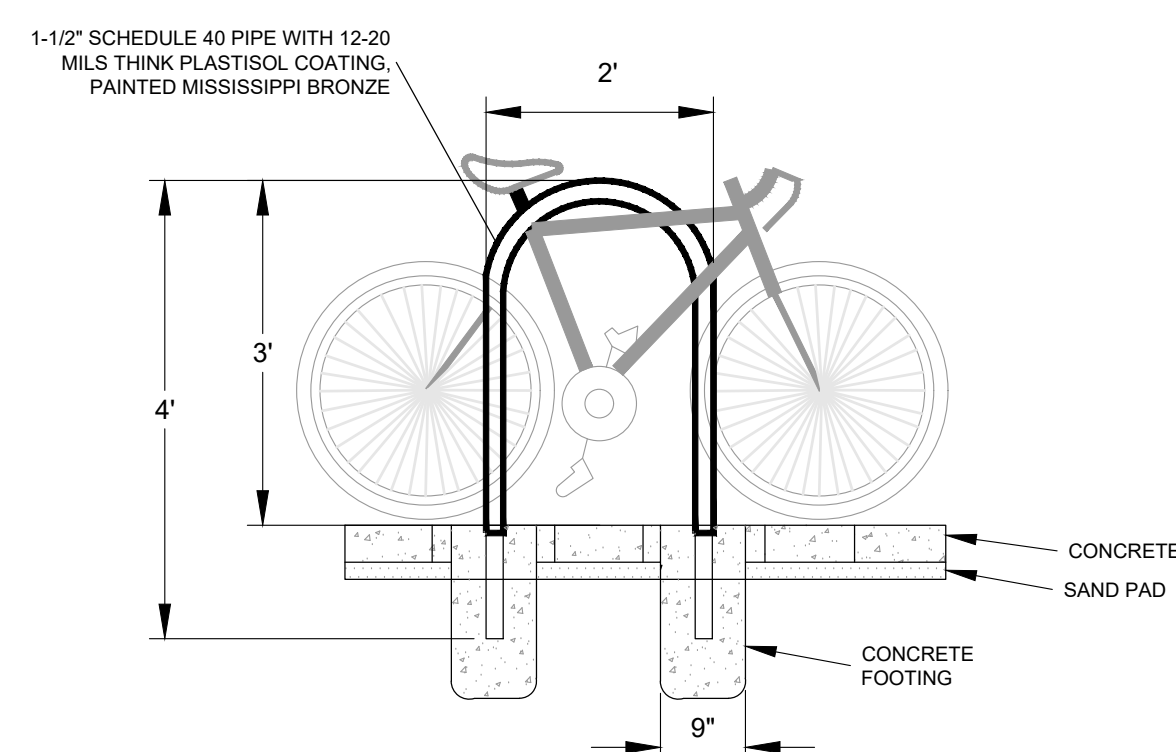


10250 SW VILLAGE PARKWAY, SUITE 20
PORT SAINT LUCIE, FL 34987
☎ 772-462-2455

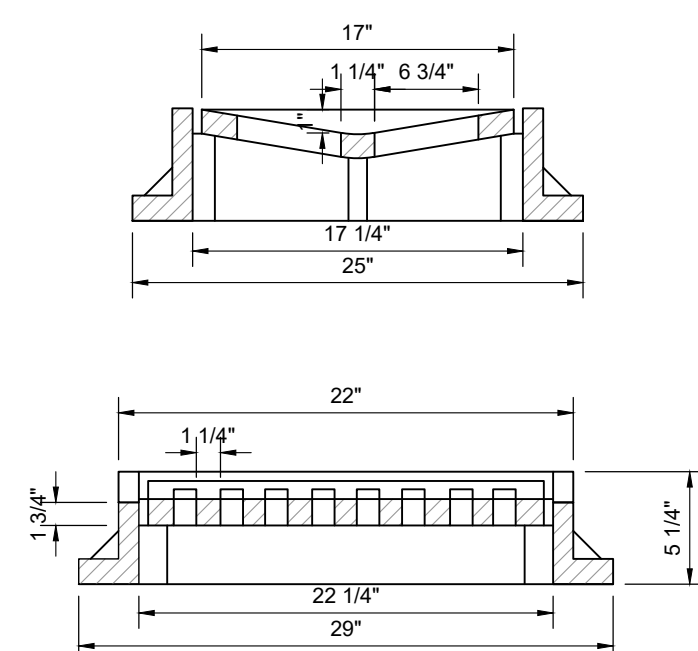
21-353

1 OF 2

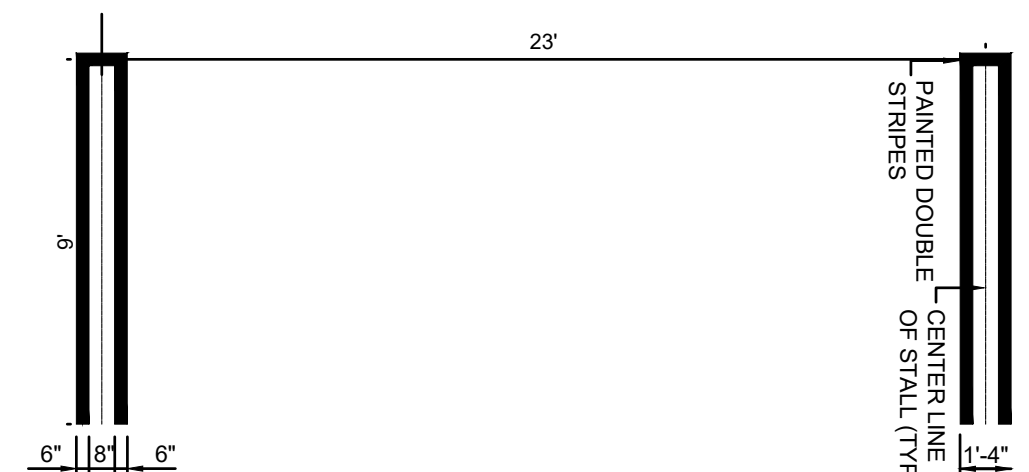
SCALE: 1:10



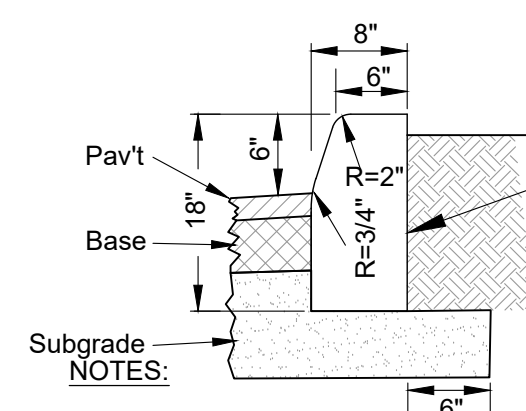
BIKE RACK DETAIL



VALLEY CURB INLET

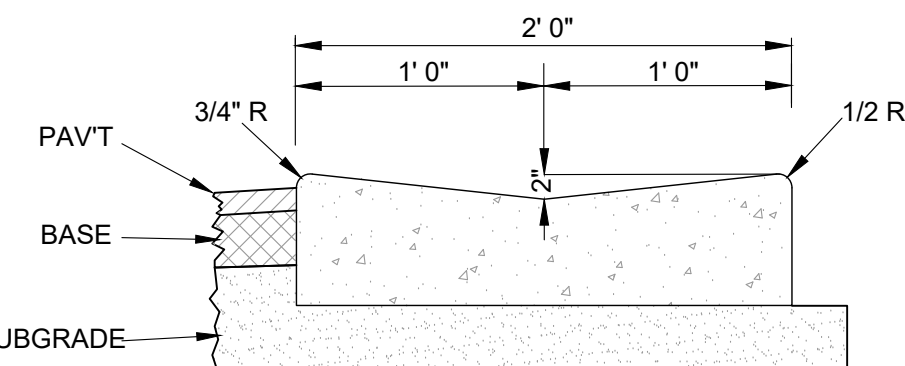


TYPICAL PARALLEL PARKING STALL

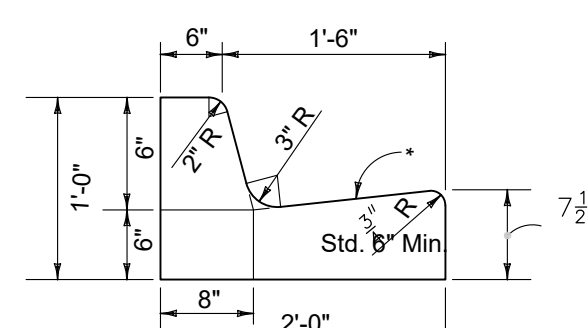


TYPE "D" CURB

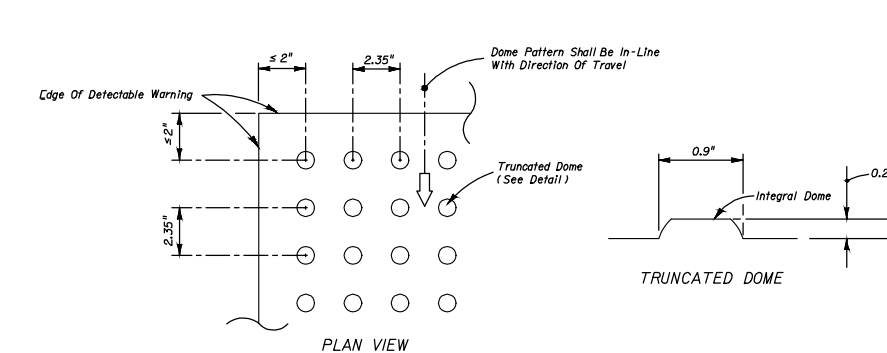
2. Subgrade to extend an additional 6" beyond Type "D" Curb.
3. Type "D" Curb to be constructed in accordance with FDOT Index #522-001.



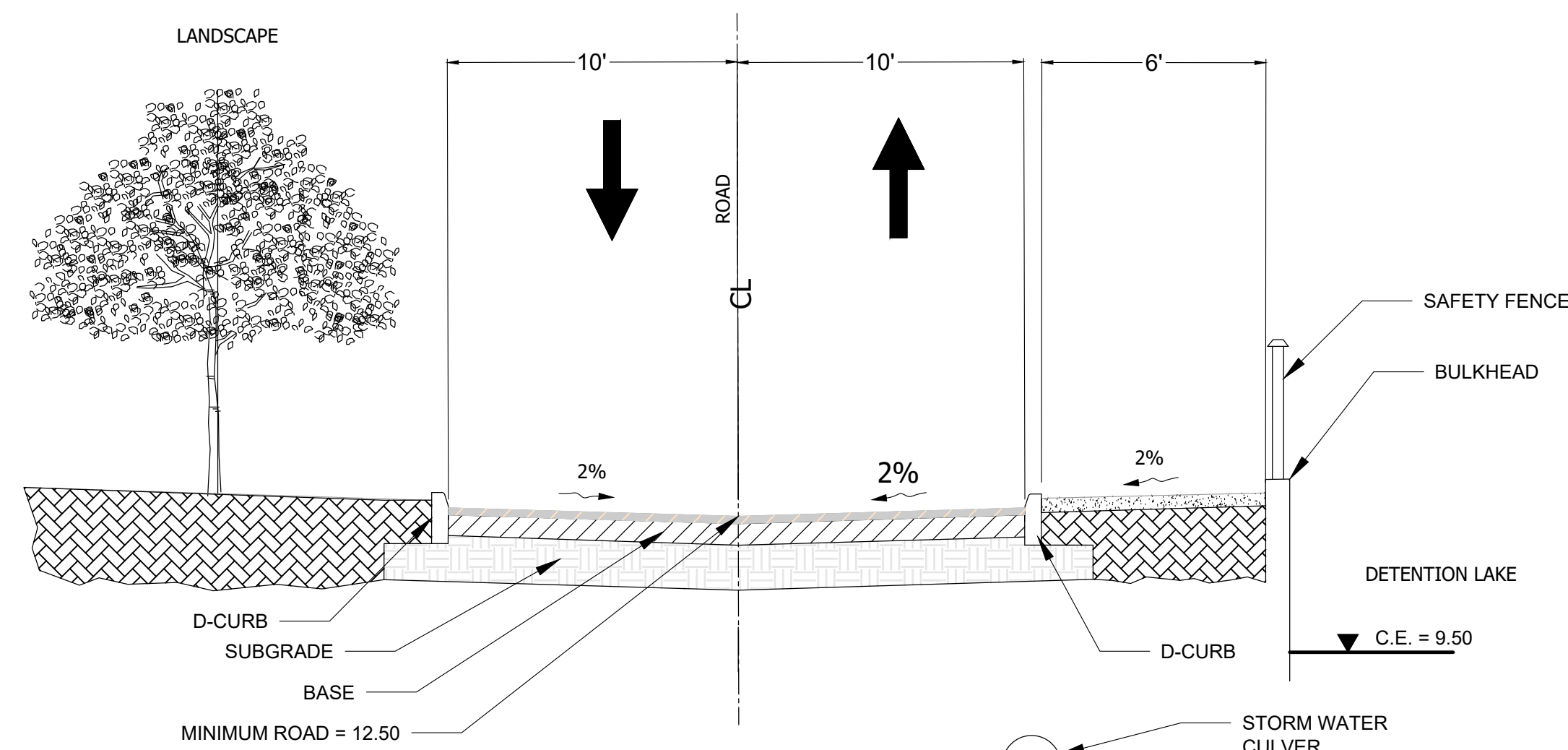
NOTES:
3,000 P.S.I. CONCRETE AT 28 DAYS
2' VALLEY GUTTE



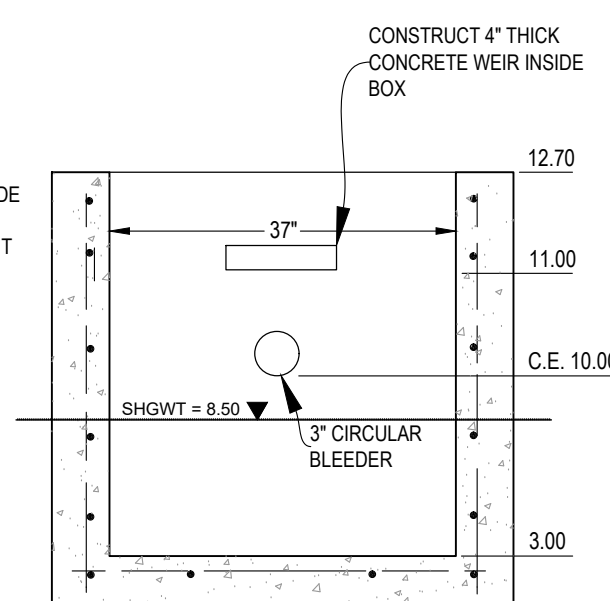
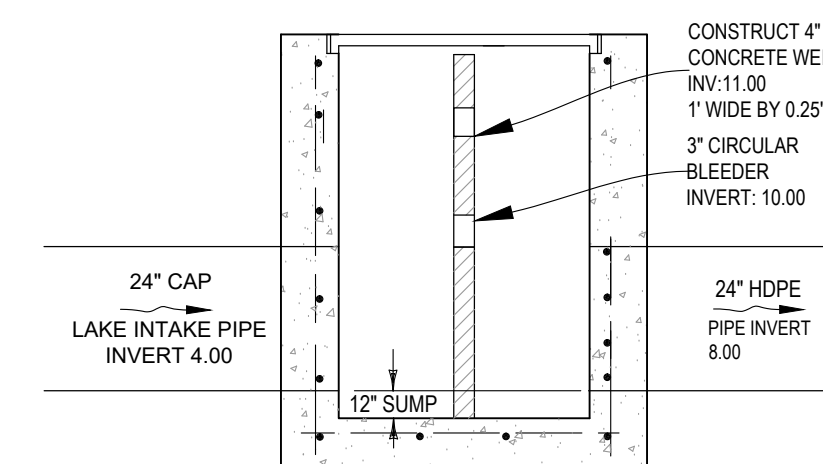
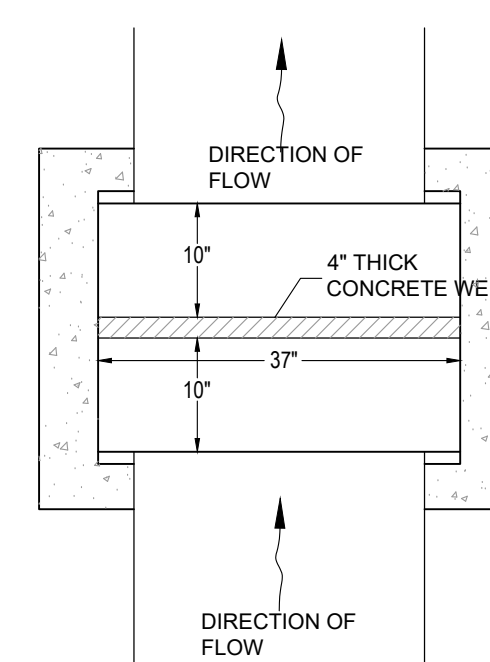
TYPE F



DETECTABLE WARNING



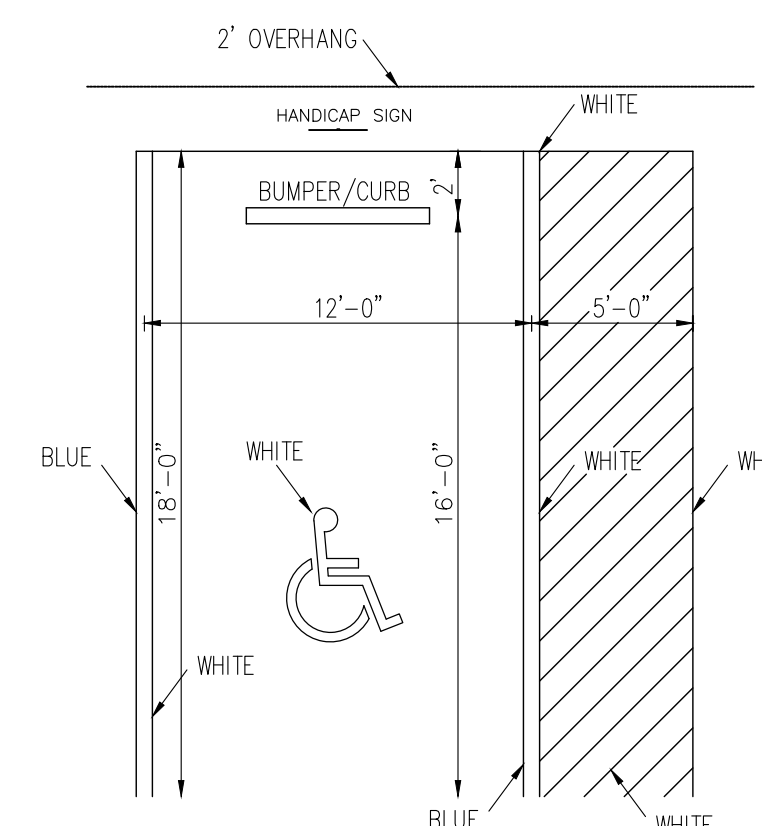
SECTION A-A



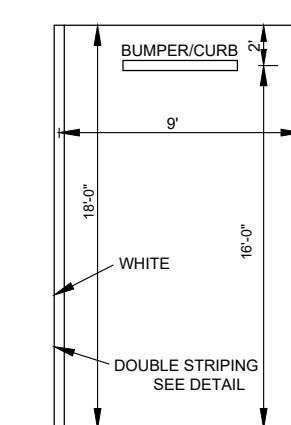
MODIFIED TYPE 'C' CONTROL STRUCTURE



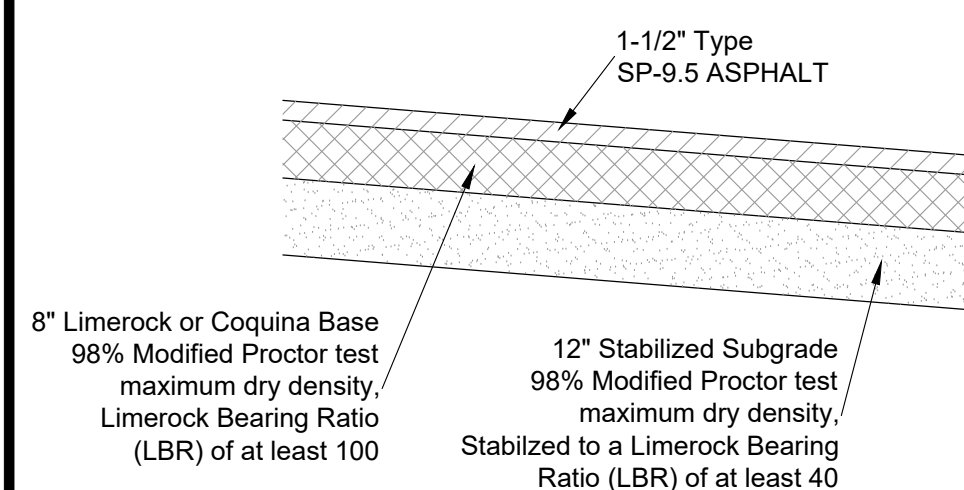
- NOTES:
1. TOP PORTION OF FTP 25 & 26 SHALL HAVE A REFLECTIVE BLUE BACKGROUND WITH WHITE REFLECTIVE SYMBOL AND BORDER.
 2. BOTTOM PORTION SHALL HAVE A REFLECTIVE WHITE BACKGROUND WITH BLACK OPAQUE LEGEND AND BORDER.
 3. FTP 25 & 26 MAY BE FABRICATED ON ONE PANEL OR TWO.
 4. FTP 25 IS FOR USE IN AREAS WHERE SPACE IS LIMITED.



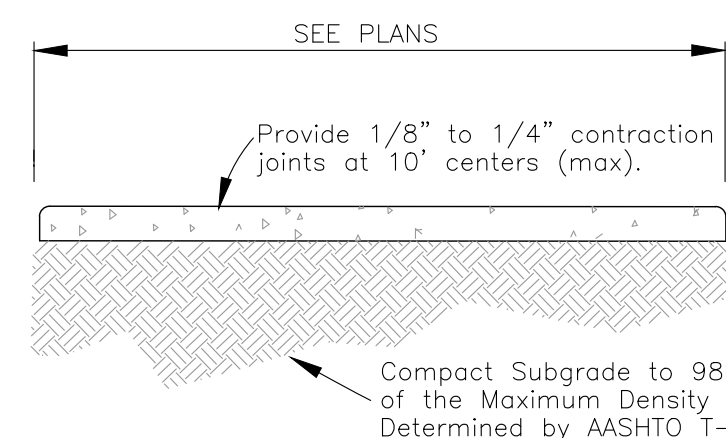
HANDICAP SPACE DETAIL



18' PARKING STALL DETAIL

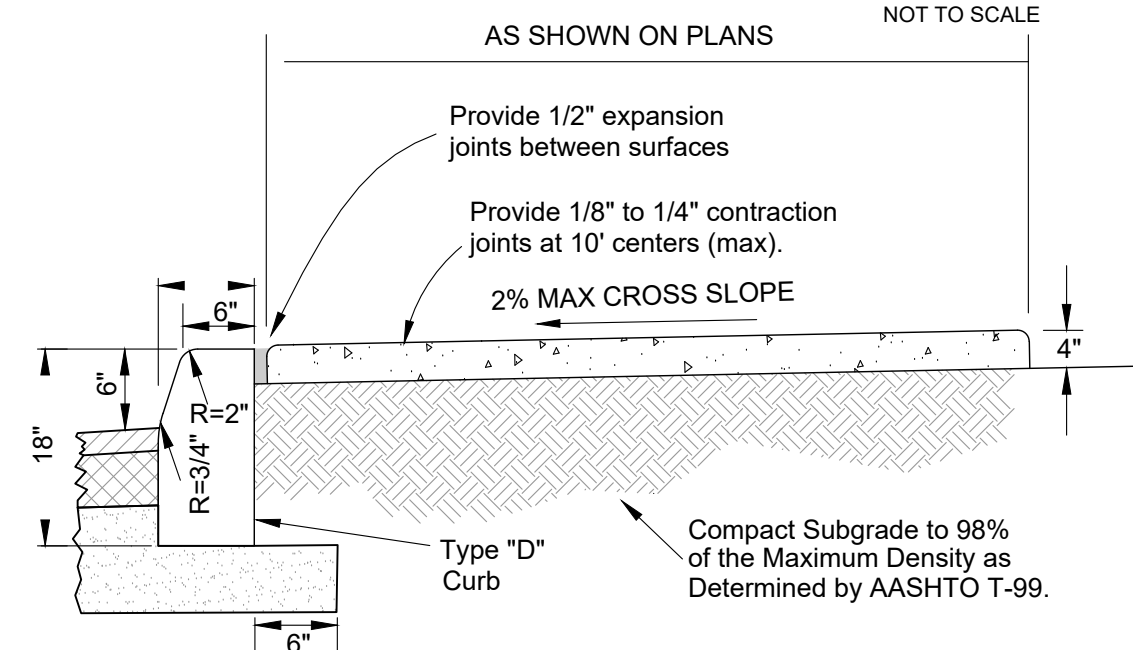


TYPICAL PAVEMENT SECTION



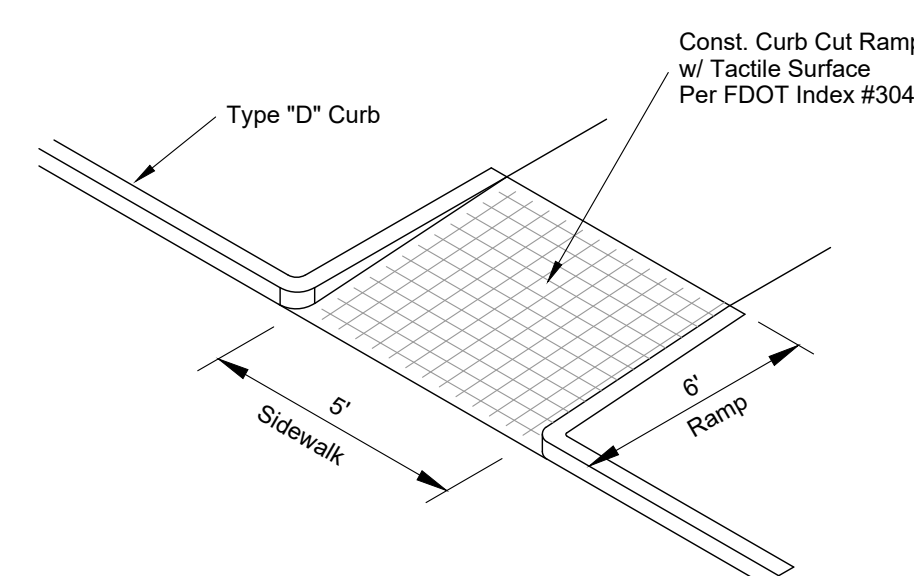
- NOTES:**
1. Use 3,000 P.S.I. Concrete At 28 Days for sidewalk construction.
 2. Sidewalk thickness to be increased to 6" thick at driveway locations
 3. All repairs required during construction shall be removed and replaced 10' minimum to next full joint.

4" THICK SIDEWALK DETAIL



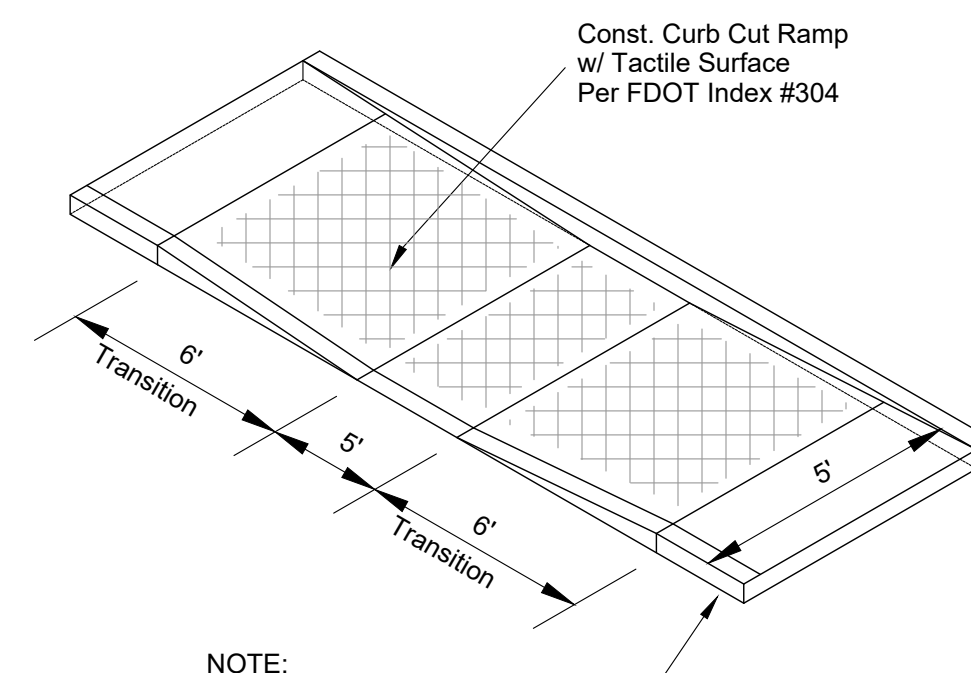
- NOTES:
1. Use 4,000 P.S.I. concrete at 28 days for construction.
 2. Subgrade to extend an additional 6" beyond Type "D" Curb.

TYPE "D" CURB & SIDEWALK COMBINATION



- NOTE:
1. Sidewalk is perpendicular to curb.

CURB CUT RAMP

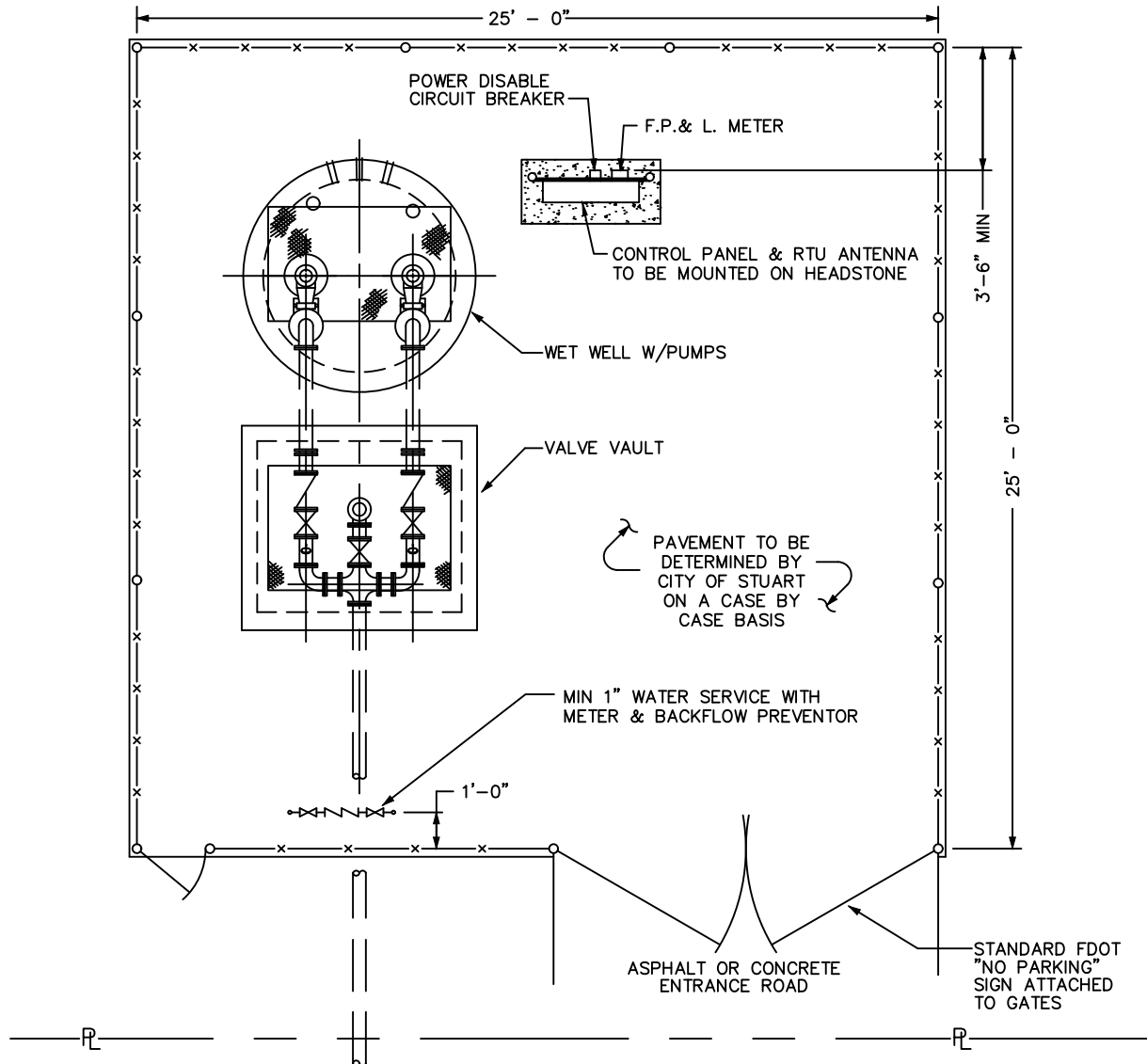


- NOTE: Type "D" Curb
1. Sidewalk is parallel to curb.

HANDICAP CURB CUT RAMP

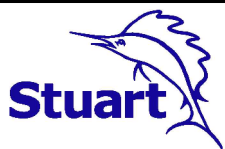
2 OF 2

THIS DRAWING DEPICTS A GENERAL SITE PLAN ONLY. THE ENGINEER OF RECORD SHALL ORIENT THE COMPONENTS OF THE SYSTEM TO MEET SPECIFIC SITE PLAN CONDITIONS



NOTES:

1. MINIMUM 12' WIDE ASPHALT OR CONCRETE ENTRANCE ROAD.
2. ENTRANCE ROAD TO BE EITHER CONCRETE OR ASPHALT AND CONFORM TO FDOT SPECIFICATIONS.
3. PROVIDE TWO (2), 6' WIDE SWING OPEN GATES AT THE ENTRANCE ROAD AND A 30" WALK-IN GATE.
4. PROVIDE A 1" POLYETHYLENE WATER SERVICE LINE WITH METER BOX THAN A REDUCED PRESSURE BACKFLOW PREVENTION DEVICE LOCATED INSIDE FENCE.
5. THE CHAIN LINK FABRIC SHALL BE HOT-DIPPED GALVANIZED AFTER WEAVING. THE SIZE OF MESH SHALL BE 2" AND THE SIZE OF COATED WIRE SHALL BE 9 GAUGE. FABRIC HEIGHT SHALL BE 72". PRIVACY SLATS TO BE INSTALLED.
6. ALL POSTS, RAILS AND APPURTENANCES SHALL BE HOT-DIPPED ZINC-COATED STEEL. PIPE POSTS SHALL HAVE TOPS WHICH EXCLUDE MOISTURE. END, CORNER, PULL AND GATE POSTS SHALL BE BRACED WITH THE SAME MATERIAL AS TOP RAIL AND TRUSSED TO LINE POSTS WITH 3/8" RODS AND TIGHTENERS.
7. TOP AND BOTTOM RAIL SHALL BE 1 5/8" OD STANDARD WEIGHT PIPE, 2.27 LBS/FT, INTERMEDIATE POSTS SHALL BE 2" OD STANDARD WEIGHT PIPE, 2.27 LBS/FT AND POSTS FOR SWING GATES SHALL BE 4" OD STANDARD WEIGHT PIPE, 9.11 LBS/FT.
8. POSTS WHICH COME IN CONTACT WITH CONCRETE SHALL BE COATED WITH WATER BASE EPOXY.
9. LIFT STATION MUST BE SCREENED WITH EITHER LANDSCAPING (AT PLANT HEIGHT, NO GROW IN PERIOD) OR APPROVED OPAQUE FENCE MATERIAL. 10. GATE VALVE SHALL BE LOCATED AT OR NEAR CONNECTION TO FORCEMAIN.



STANDARD UTILITY DETAILS
City of Stuart
Utilities & Engineering Department

121 S.W. Flagler Avenue, Stuart, Florida 34994

TYPICAL LIFT STATION SITE PLAN

DATE: OCTOBER 2021
FILE NAME: 2021 COS Std Details.dwg

SHEET NUMBER
55

Lift Station Report

For

Sailfish Cay

Prepared By: Mark Landsman, E.I.

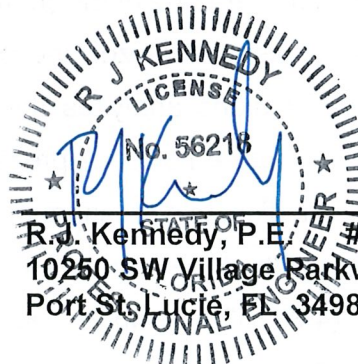
Engineering Design & Construction, Inc.

10250 SW Village Parkway, Suite 201

Port St. Lucie, FL 34987

Board of Professional Engineers Certificate of Authorization Number 9935

February 2022



2-21-22
R.J. Kennedy, P.E. #56218 Date
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987 (772) 462-2455

1.0 Introduction

The project known as Sailfish Cay proposes to develop a vacant lot into a 60-unit multi-family residential community at 751 SE Central Parkway in Stuart, Florida. The site has an existing lift station known as Station #37 – Towne Park. A lift station test form provided by the City of Stuart details some of the design aspects of the lift station. A copy of the test form is attached to this report. Since the lift station is existing, anti-flotation calculations are not provided.

2.0 ERC Determination

The city of Stuart defines an Equivalent Residential Connection (ERC) as 250 gallons of usage per day. The existing lift station currently serves condominiums known as Towne Park North consisting of 96 units and 1 clubhouse. Since each condo unit is residential and the clubhouse is a low intensity user of wastewater, each unit (including the clubhouse) accounts for 1 ERC. The proposed Sailfish Cay community proposes 60 townhomes with 1 pool cabana. Each proposed unit accounts for 1 ERC, therefore, the lift station proposes to serve a total of 158 ERC's or 39,500 gallons per day.

3.0 Lift Station Design

Since the lift station is existing, the float elevations are fixed. No modifications to the float elevations are proposed. The station has 2 alternating Flygt MT 3102 pumps with 464/162mm impellers. A copy of the pump curve is attached to this report. The first set of lift station calculations analyzes the existing conditions of the lift station, while the second set of calculations analyzes the proposed conditions of the lift station which include existing and future flows. A pressure chart provided by the City of Stuart for an adjacent lift station indicates a pressure of approximately 10 psi. After pipe loss and minor losses, it is assumed that the connecting pressure is approximately 11 psi. The existing pump impellers (464/162mm) under the existing conditions are capable of developing 82.9 GPM at 38.9 TDH. These impellers were not capable of handling the additional

flows due to the new development, therefore an upgrade to a 463/172mm impeller is required. The proposed impeller upgrade is capable of developing 144.3 GPM at 41.8 TDH in the proposed condition.

4.0 Conclusion

The Sailfish Cay project proposes to develop a 60-unit multi-family community that will connect to an existing lift station. The station proposes to service 158 units which equals 158 ERC's (39,500 GPD). An upgrade to the existing impellers is required for the pumps to serve the additional flows. The impellers need to be upgraded from the existing 464/162mm impellers to 463/172mm impellers.

The following attachments are included with this report:

- Lift Station Calculations
- Pump Data – Existing Impeller
- Pump Data – Proposed Impeller
- Lift Station Test Form
- Pressure Data

Lift Station Data Entry (Connecting Pressure = 11 PSI provided by City of Stuart)

Project: 21-353 Sailfish Cay
 Engineer: RJK
 Reg. No. 56218
 Date: 2/15/2022

Company: Engineering, Design & Construction, Inc.
 Calc'd By: MDL
 Checked By: RJK

ESTIMATED FLOWS

Establishment	UNITS	ERC Factor	ERCs	GPD
Existing Flows from Towne Parke North	0.00	1.0000	0.00	-
96 Existing Units and 1 Clubhouse	97.00	1.0000	97.00	24,250
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
Other (Not Listed):	0.00	0.0000	0.00	-
		Total	97.00	24,250

Average Daily Flow:

GPD	Hours of Operation	ADF (GPM)
24,250.00	24.00	16.84

For lift station design use **17.00**

Maximum Daily Flow:

ADF (GPM)	Peaking Factor	MDF (GPM)	MDF/GPD
17.00	2.0	34.00	48,960.00

ADF (gpd)	Peak Hourly Factor
0 - 100,000	4.0
100,000 - 250,000	3.5
250,000 - 1,000,000	3.0
> 1,000,000	2.5

Peak Hourly Flow:

ADF (GPM)	Peaking Factor	PHF (GPM)	PHF/GPD
17.00	4.0	68.00	97,920.00

Station Design:

Wet-well Rim Elevation	12.94	NAVD
Discharge Elevation	8.94	NAVD
Influent Elevation	3.77	NAVD
Alarm Elevation	4.69	NAVD
Lag Pump On Elevation	3.61	NAVD
Lead Pump On Elevation	2.77	NAVD
Pump Off Elevation	1.86	NAVD
Wet-well Invert Elevation	-0.06	NAVD
Inside Diameter of Wet-Well	6.00	ft
Wet-Well Wall Thickness	0.25	ft
Top Slab Thickness	0.25	ft
Bottom Slab Thickness	1.33	ft
Bottom Slab Extension	2.00	ft

Force Main Design:

	Diameter [in]	Length [ft]
Discharge Pipe ->	4.00	9.00
Forcemain ->	6.00	950.00
	2.00	0.00

Pumps:	
Model	Flygt - 3102 MT
HP	5
Impeller	464/162 mm
Voltage	240
Phase	3
RPM	1800
Shutoff Head	44

Total Dynamic Head

Dynamic Head Conditions:

Receiving Force Main - psi to feet conversion:

11.00 psi

25.38 ft

Static Lift

Pump Off Elev.

1.86 NAVD

Effluent Pipe Max Height 8.94 NAVD

7.08 ft

Total Static Head

32.46 ft

Force Main Minor Losses:

Fitting Loss in feet varies with velocity.

fitting (loss)	number	"k" value	No. x k
entrance/exit	2	1.00	2.00
90° Bend	3	0.80	2.40
45° Elbow	0	0.20	0.00
Cross - Branch	1	0.75	0.75
Tee - Branch	0	1.28	0.00
Plug Valve	0	0.77	0.00
Seat Gate Valve	1	0.17	0.17
Swing Check Valve	1	2.00	2.00

Total (K)= 7.32

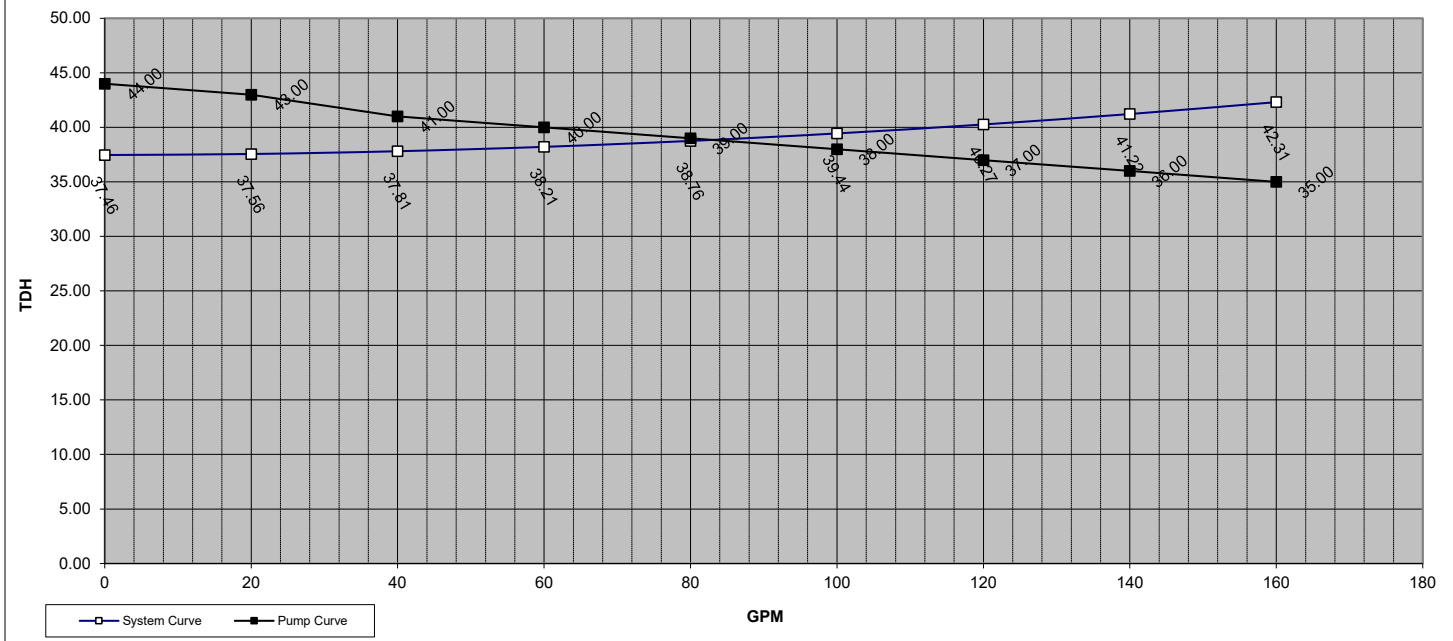
Force Main Friction Loss Formula:

$$H_p = 10.44L(Q^{1.85})/(C^{4.8655})$$

Flow Increment = 20

PVC Pipe Friction Factor - C = 120

Flow GPM	Flow CFS	Velocity ft/sec	Pipe Loss (h _p) ft	Minor Loss (h _r) ft	Total Static Head ft	Station Loss ft	TDH ft	Pumping Head ft
0	0.000	0.00	0.00	0	32.46	5	37.46	44.00
20	0.045	0.51	0.06	0.0296	32.46	5	37.56	43.00
40	0.089	1.02	0.23	0.1185	32.46	5	37.81	41.00
60	0.134	1.53	0.48	0.2667	32.46	5	38.21	40.00
80	0.178	2.04	0.82	0.4742	32.46	5	38.76	39.00
100	0.223	2.55	1.24	0.7409	32.46	5	39.44	38.00
120	0.267	3.06	1.73	1.0669	32.46	5	40.27	37.00
140	0.312	3.57	2.31	1.4522	32.46	5	41.22	36.00
160	0.357	4.09	2.95	1.8968	32.46	5	42.31	35.00



Conclusion:

The Flygt - 3102 MT w/ 464/162 mm Impeller

will develop

82.9

GPM @

38.9

TDH

Force Main Velocity at Grinder Flow:

$$V = 0.408 \times (Q / (d)^2)$$

V =

2.11

ft/s

Operating Range

Current Operating Parameters

Pump Rate [GPM]	ADF [GPM]	Optimum Cycle Time [Min]
82.88	17.00	30.0

Wet-well Volume Per Foot

Wet-well Diameter	Formula	Gal./Foot
6.00	$Vol = Diam^2 \times \frac{\pi}{4} \times \frac{7.4805 \text{ gal}}{ft^3}$	211.51

Optimum Operating Range Lead Pump (Based on optimum Cycle Time)

Optimum Volume [Gal]	Gal./Foot	Optimum Operating Range
405.39	211.51	1.92 Feet
		Current lift station design: 0.91 Feet
		192.47 Gallons

Cycle/Run/Starts:

ADF (GPM) =	17.00	ADF CY. T. = Vol/(Pump Rate-ADF) + Vol/ADF	14.24	Min.
		ADF Run T. = Vol/(Pump Rate-ADF)	2.92	Min.
		ADF Starts Per Hour = Formula = 60/CY.T	4.21	Starts
MDF (GPM) =	34.00	MDF CY. T. = Vol/(Pump Rate-MDF) + Vol/MDF	9.60	Min.
		MDF Run T. = Vol/(Pump Rate-MDF)	3.94	Min.
		MDF Starts Per Hour = Formula = 60/CY.T	6.25	Starts
PHF (GPM) =	68.00	PHF CY. T. = Vol/(Pump Rate-PHF) + Vol/PHF	15.77	Min.
		PHF Run T. = Vol/(Pump Rate-PHF)	12.94	Min.
		PHF Starts Per Hour = Formula = 60/CY.T	3.81	Starts

Lift Station Data Entry (Connecting Pressure = 11 PSI provided by City of Stuart)

Project: 21-353 Sailfish Cay
 Engineer: RJK
 Reg. No. 56218
 Date: 2/15/2022

Company: EDC, Inc.
 Calc'd By: MDL
 Checked By: RJK

ESTIMATED FLOWS

Establishment	UNITS	ERC Factor	ERCs	GPD
Existing Flows from Towne Parke North	0.00	0.0000	0.00	-
96 Existing Units and 1 Clubhouse	97.00	1.0000	97.00	24,250
Proposed Flows from Sailfish Cay	0.00	0.0000	0.00	-
60 Proposed Units and 1 Pool Cabana	61.00	1.0000	61.00	15,250
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
	0.00	0.0000	0.00	-
Other (Not Listed):	0.00	0.00	0.00	-
		Total	158.00	39,500

Average Daily Flow:

GPD	Hours of Operation	ADF (GPM)
39,500.00	24.00	27.43
For lift station design use		28.00

Maximum Daily Flow:

ADF (GPM)	Peaking Factor	MDF (GPM)	MDF/GPD										
28.00	2.0	56.00	80,640.00										
<table><tr><th><u>ADF (gpd)</u></th><th><u>Peak Hourly Factor</u></th></tr><tr><td>0 - 100,000</td><td>4.0</td></tr><tr><td>100,000 - 250,000</td><td>3.5</td></tr><tr><td>250,000 - 1,000,000</td><td>3.0</td></tr><tr><td>> 1,000,000</td><td>2.5</td></tr></table>				<u>ADF (gpd)</u>	<u>Peak Hourly Factor</u>	0 - 100,000	4.0	100,000 - 250,000	3.5	250,000 - 1,000,000	3.0	> 1,000,000	2.5
<u>ADF (gpd)</u>	<u>Peak Hourly Factor</u>												
0 - 100,000	4.0												
100,000 - 250,000	3.5												
250,000 - 1,000,000	3.0												
> 1,000,000	2.5												

Peak Hourly Flow:

ADF (GPM)	Peaking Factor	PHF (GPM)	PHF/GPD
28.00	4.0	112.00	161,280.00

Station Design:

Wet-well Rim Elevation	12.94	NAVD
Discharge Elevation	8.94	NAVD
Influent Elevation	3.77	NAVD
Alarm Elevation	3.77	NAVD
Lag Pump On Elevation	3.61	NAVD
Lead Pump On Elevation	2.77	NAVD
Pump Off Elevation	1.86	NAVD
Wet-well Invert Elevation	-0.06	NAVD
Inside Diameter of Wet-Well	6.00	ft
Wet-Well Wall Thickness	0.67	ft
Top Slab Thickness	0.25	ft
Bottom Slab Thickness	0.25	ft
Bottom Slab Extension	2.00	ft

Force Main Design:

	Diameter [in]	Length [ft]
Discharge Pipe ->	4.00	9.00
Force main ->	6.00	950.00
	10.00	0.00

Pumps:

Model	Flygt - 3102 MT
HP	5
Impeller	463/172 mm
Voltage	240
Phase	3
RPM	1800
Shutoff Head	51

Total Dynamic Head

Dynamic Head Conditions:

Receiving Force Main - psi to feet conversion:

11.00 psi

25.38 ft

Static Lift Pump Off Elev. 1.86 NAVD

*Force Main Elev. = 8.94 NAVD

7.08 ft

Total Static Head 32.46 ft

Force Main Minor Losses:

Fitting Loss in feet varies with velocity.

fitting (loss)	number	"k" value	No. x k
entrance/exit	2	1.00	2.00
90° Bend	3	0.80	2.40
45° Elbow	0	0.20	0.00
Cross - Branch	1	0.75	0.75
Tee - Branch	0	1.28	0.00
Plug Valve	0	0.77	0.00
Ball Valve	1	1.20	1.20
Swing Valve	1	2.50	2.50

Total (K)= 8.85

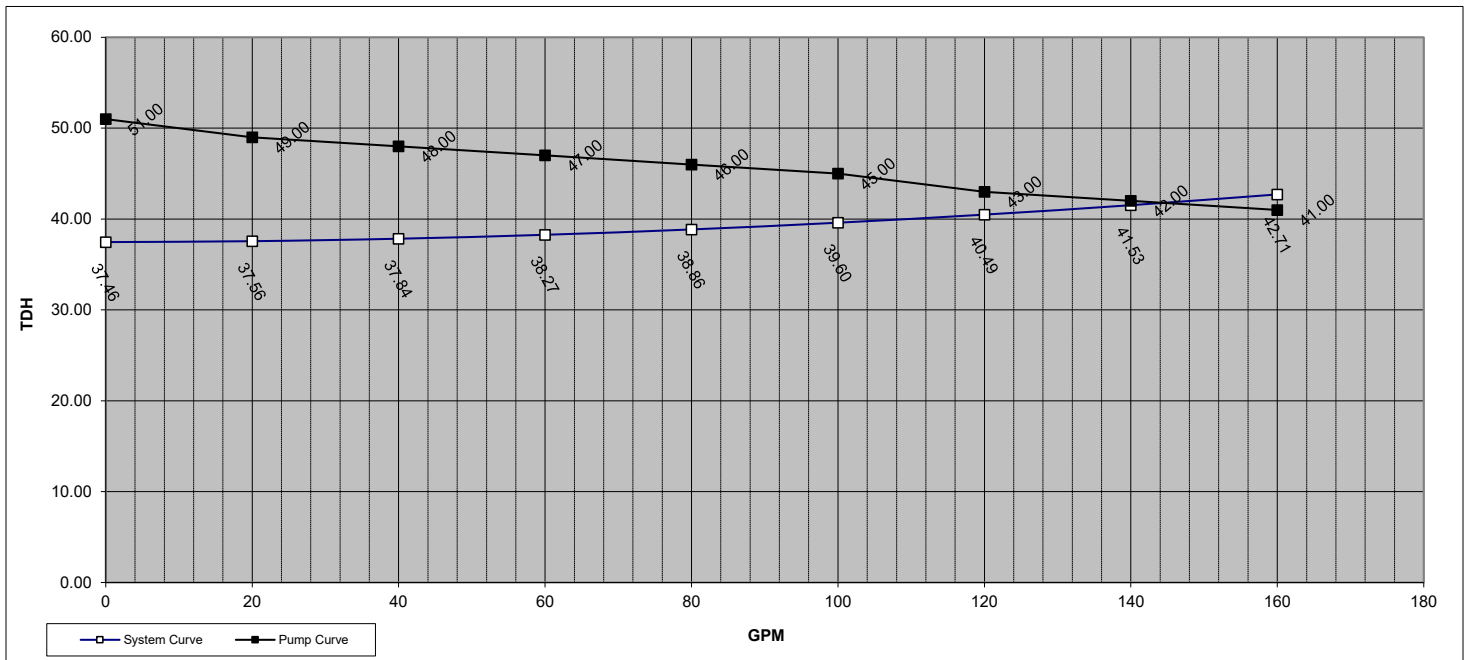
Force Main Friction Loss Formula:

$$H_p = 10.44L(Q^{\wedge} 1.85)/(C^{\wedge} 1.85D^{\wedge} 4.8655)$$

Flow Increment = 20

PVC Pipe Friction Factor - C = 120

Flow GPM	Flow CFS	Velocity ft/sec	Pipe Loss (h _p) ft	Minor Loss (h _i) ft	Total Static Head ft	Station Loss ft	TDH ft	Pumping Head ft
0	0.000	0.00	0.00	0	32.46	5	37.46	51.00
20	0.045	0.51	0.06	0.0358	32.46	5	37.56	49.00
40	0.089	1.02	0.23	0.1433	32.46	5	37.84	48.00
60	0.134	1.53	0.48	0.3225	32.46	5	38.27	47.00
80	0.178	2.04	0.82	0.5733	32.46	5	38.86	46.00
100	0.223	2.55	1.24	0.8958	32.46	5	39.60	45.00
120	0.267	3.06	1.73	1.2899	32.46	5	40.49	43.00
140	0.312	3.57	2.31	1.7558	32.46	5	41.53	42.00
160	0.357	4.09	2.95	2.2932	32.46	5	42.71	41.00



Conclusion: The Flygt - 3102 MT w/ 463/172 mm Impeller will develop **144.3** GPM @ **41.8** TDH

Force Main Velocity at Grinder Flow:

$$V = 0.408 \times (Q / (d^{\wedge} 2))$$

V = 3.68 ft/s

Operating Range

Current Operating Parameters

Pump Rate [GPM]	ADF [GPM]	Optimum Cycle Time [Min]
144.34	28.00	30.0

Wet-well Volume Per Foot

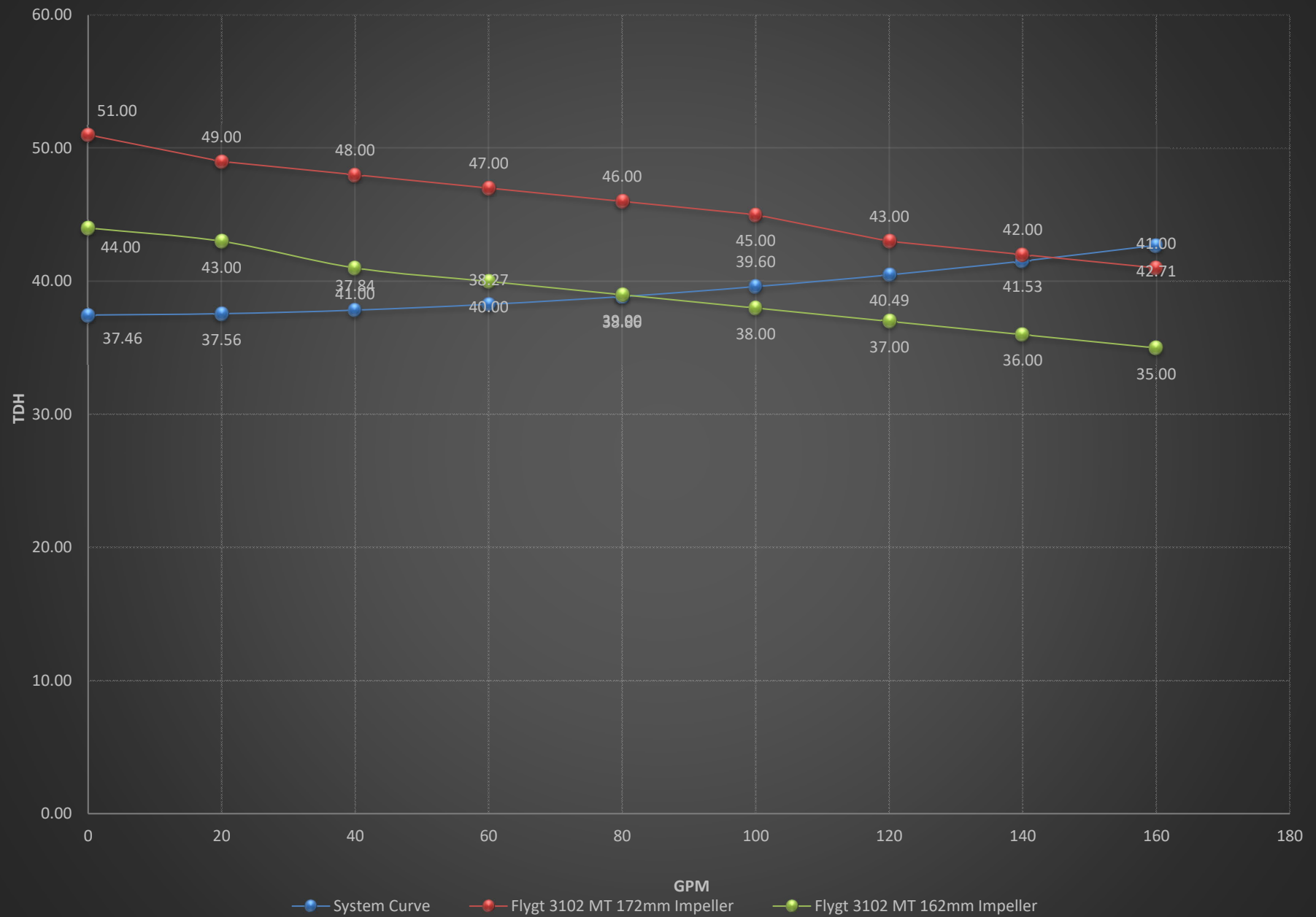
Wet-well Diameter	Formula	Gal./Foot
6.00	$Vol = Diam^2 \times \frac{\pi}{4} \times \frac{7.4805 \text{ gal}}{ft^3}$	211.51

Optimum Operating Range Lead Pump (Based on optimum Cycle Time)

Optimum Volume [Gal]	Gal./Foot	Optimum Operating Range	
677.05	211.51	3.20	Feet
		Current lift station design:	
		0.91	Feet
		192.47	Gallons

Cycle/Run/Starts:

ADF (GPM) =	28.00	ADF CY. T. = Vol/(Pump Rate-ADF) + Vol/ADF	8.53	Min.
		ADF Run T. = Vol/(Pump Rate-ADF)	1.65	Min.
		ADF Starts Per Hour = Formula = 60/CY.T	7.04	Starts
MDF (GPM) =	56.00	MDF CY. T. = Vol/(Pump Rate-MDF) + Vol/MDF	5.62	Min.
		MDF Run T. = Vol/(Pump Rate-MDF)	2.18	Min.
		MDF Starts Per Hour = Formula = 60/CY.T	10.68	Starts
PHF (GPM) =	112.00	PHF CY. T. = Vol/(Pump Rate-PHF) + Vol/PHF	7.67	Min.
		PHF Run T. = Vol/(Pump Rate-PHF)	5.95	Min.
		PHF Starts Per Hour = Formula = 60/CY.T	7.82	Starts





December 10, 2021

Ryan Johnston
751 SE Central LLC 224
Chimney Corner Lane, Suite 3032
Jupiter FL 33458

Re: 751 SE Central Parkway

Dear Mr. Johnston:

O'Rourke Engineering & Planning has completed the analysis of the traffic impacts associated with the change in land use from commercial to multi-family land use for the 4.88 acres on Central Parkway. **Figure 1** illustrates the project location. The analysis is presented below.

Traffic Analysis

The proposed change in land use has to address the worst-case traffic generator in the existing future land use to the worst-case traffic generator in the proposed future land use. The 4.88 acres has an existing future land use of Commercial. Under commercial land use, an FAR of 1.5 is allowed. Applying the 1.5 FAR to 4.88 acres yields 318,859 square feet. A worst-case scenario would be retail/commercial such as shopping center.

The proposed future land use is multi family residential. Under multi family, a maximum of 30 units per acres is allowed under a planned unit development. At 30 units per acre, the project would yield 146 dwelling units.

The trip generation associated with each of the potential uses, was calculated using ITE Trip Generation, 11th Edition. **Table 1** summarizes the trip generation and the change in trip generation.

As shown, the change in land use would result in a decrease in 11,151 daily trips, 269 AM peak hour trips and 1,027 PM peak hour trips.

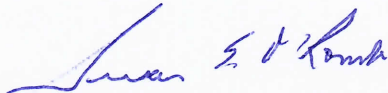
Because there is a decrease in land use, additional analyses are not required.

Conclusion

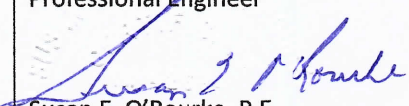
The trip generation analysis demonstrates that the change in land use will result in a decrease in trip generation potential on the development.

It has been a pleasure working with you.

Respectfully submitted,
O'ROURKE ENGINEERING



Susan E. O'Rourke, P.E.
Civil Engineering – Traffic

Prepared by: O'Rourke Engineering & Planning Certificate of Authorization: #26869 22 SE Seminole Street Stuart, Florida 34994 772-781-7918	Professional Engineer  Susan E. O'Rourke, P.E. Date signed and sealed: 1/13/2022 License #: 42684
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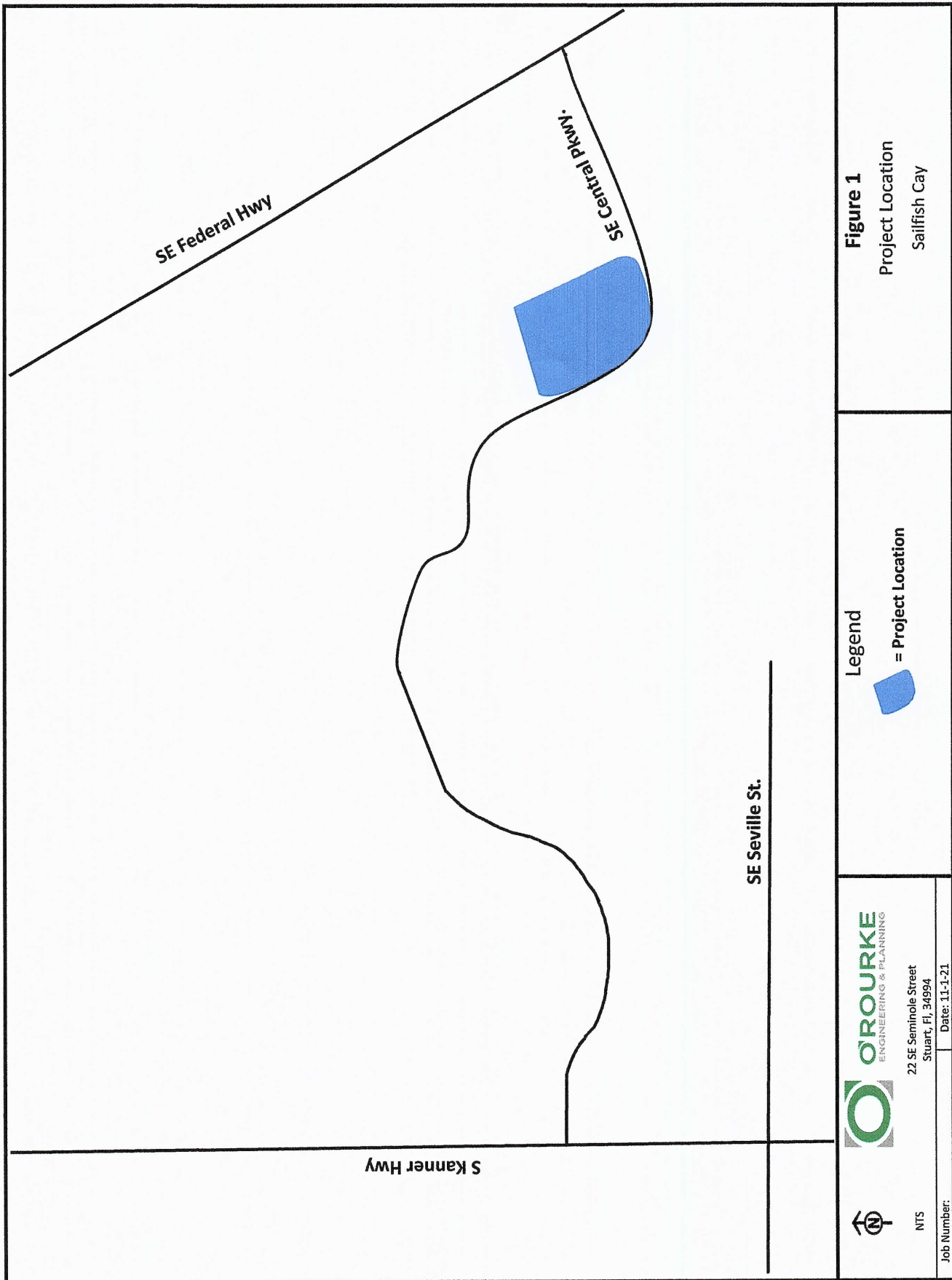


Figure 1
Project Location
Sailfish Cay

Legend
= Project Location



22 SE Seminole Street
Stuart, FL 34994

Date: 11-1-21



NTS

Job Number:

Table 1 - Trip Generation**Table 1a: Daily**

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Shopping Center (Existing)	820	318,859	Sft	$T = 37.01(X)$	50%	50%	5,901	5,900	11,801
Multifamily Housing-Mid-Rise (Proposed)	221	146	DU	$T = 4.77(X) - 46.46$	50%	50%	325	325	650
TOTAL (Proposed - Existing)							(5,576)	(5,575)	(11,151)

Source: ITE 11th Edition Trip Generation Rates**Table 1b: AM Peak Hour**

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Shopping Center (Existing)	820	318,859	Sft	$T = 0.59(X) + 133.55$	62%	38%	200	122	322
Multifamily Housing-Mid-Rise (Proposed)	221	146	DU	$T = 0.44(X) - 11.61$	23%	77%	12	41	53
TOTAL (Proposed - Existing)							(188)	(81)	(269)

Source: ITE 11th Edition Trip Generation Rates**Table 1c: PM Peak Hour**

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Shopping Center (Existing)	820	318,859	Sft	$T = 3.40(X)$	48%	52%	520	564	1,084
Multifamily Housing-Mid-Rise (Proposed)	221	146	DU	$T = 0.39(X) + 0.34$	61%	39%	35	22	57
TOTAL (Proposed - Existing)							(485)	(542)	(1,027)

Source: ITE 11th Edition Trip Generation Rates



TRAFFIC ANALYSIS

FOR

Sailfish Cay

Prepared For:

Ryan Johnston
751 SE Central LLC
224 Chimney Corner Lane, Suite 3032
Jupiter FL 33458

Prepared By:

O'Rourke Engineering & Planning
22 SE Seminole Street
Stuart, FL 34994
(772)781-7918

November 1, 2021
Revised January 5, 2022
Revised February 21, 2022

MR21105.0

Prepared by: O'Rourke Engineering & Planning Certificate of Authorization: #26869 22 SE Seminole Street Stuart, Florida 34994 (772) 781-7918	Susan E O'Rourke State of Florida, Professional Engineer, License No. 42684 This Document has been electronically signed and sealed by Susan E O'Rourke, PE on 2/22/2022 using a SHA authentication code. Printed copies of this document are not considered signed and sealed and the SHA authentication code must be verified on any electronic copies.
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November 1, 2021

Mr. Ryan Johnston
751 SE Central LLC
224 Chimney Corner Lane, Suite 3032
Jupiter FL 33458

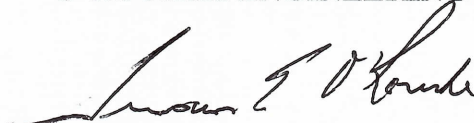
Re: Sailfish Cay

Dear Mr. Johnston:

O'Rourke Engineering & Planning has completed the traffic analysis for the proposed residential development consisting of 60 multifamily residential dwelling units to be located east of S. Kanner Highway and north of Central Parkway in Stuart, Martin County. The steps in the analysis and the ensuing results are presented herein.

It has been a pleasure working with you.

Respectfully submitted,
O'ROURKE ENGINEERING & PLANNING



Susan E. O'Rourke, P.E.
President

INTRODUCTION

O'Rourke Engineering & Planning was retained to prepare a traffic analysis for the proposed residential development located on Central Parkway. **Figure 1** illustrates the project location. **Attachment A** includes the project site plan. The purpose of this analysis is to determine the impact of the development on the roadway.

PROJECT DESCRIPTION

The project site is located on the north side of Central Parkway in Stuart. The development consists of 60 multifamily dwelling units. The project will have full access off Central Parkway with no turn lanes proposed. The project is expected to be built out by 2023.

Trip Generation — Land Use Code 220 - Multi Family Low Rise rates from the ITE Trip Generation 11th Edition were applied to the 60 units.

The trip generation of the site is summarized in **Table 1**.

As shown, the project will generate 41 AM peak hour trips with 10 in and 31 out and 46 PM peak hour trips with 29 in and 17 out.

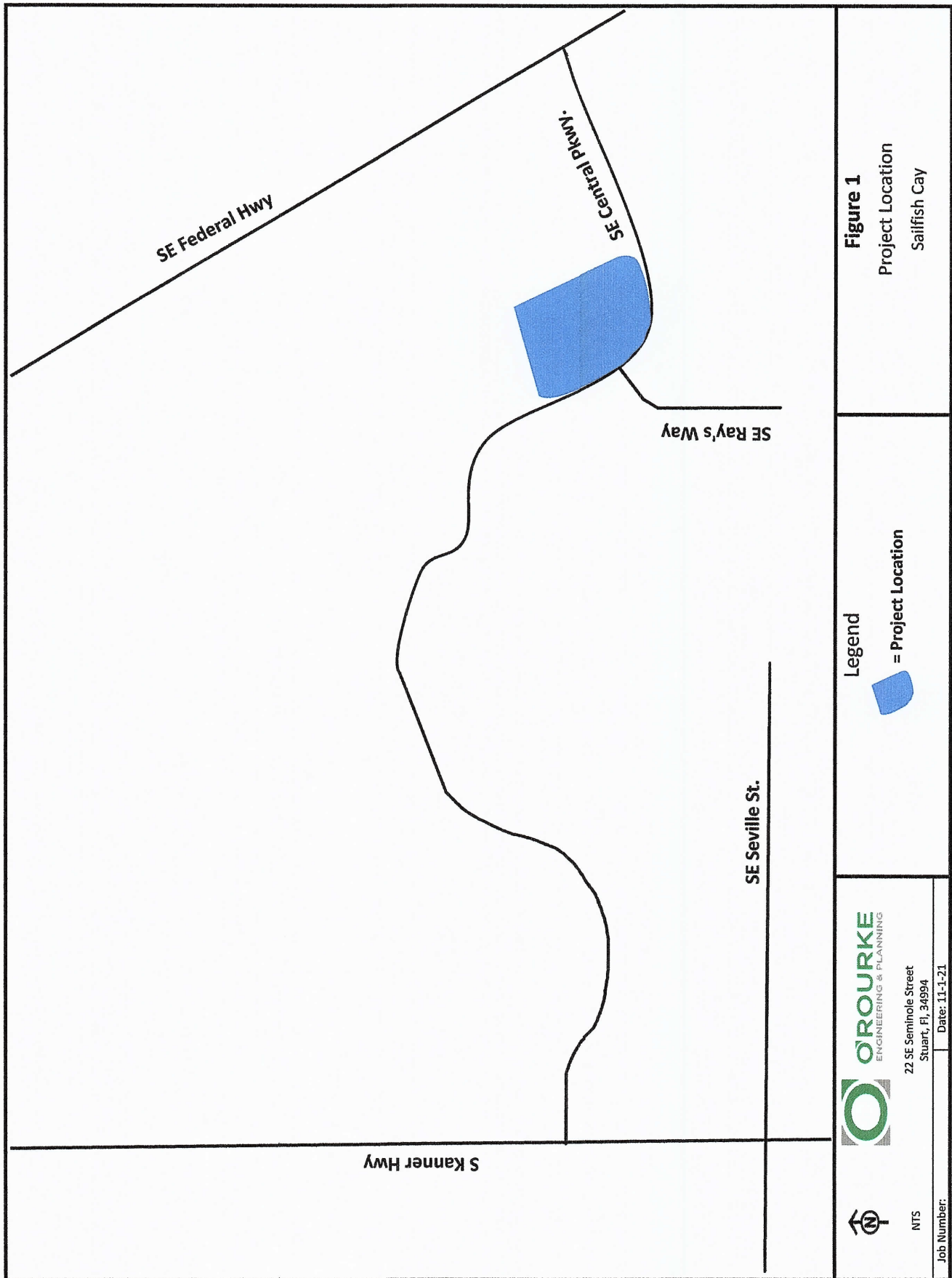


Table 1 - Trip Generation

Table 1a: Daily

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily - Low Rise	220	60	DU	$T=6.41(X)+75.31$	50%	50%	230	230	460

Source: ITE 11th Edition Trip Generation Rates

Table 1b: AM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily - Low Rise	220	60	DU	$T=0.31(X)+22.85$	24%	76%	10	31	41

Source: ITE 11th Edition Trip Generation Rates

Table 1c: PM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Multifamily - Low Rise	220	60	DU	$T=0.43(X)+20.55$	63%	37%	29	17	46

Source: ITE 11th Edition Trip Generation Rates

PROJECT DISTRIBUTION/ ASSIGNMENT/ IMPACT

To determine the project impact in 2023, the project traffic was assigned to the network. **Figure 2** illustrates the project assignment. Although the project is not significant on any links, the link analysis was included for informational purposes. The existing counts, capacity and growth rates were taken from the Martin County 2019 Roadway Level of Service Report and a count made on Central Parkway. **Table 2 - Percent Impact** and **Table 3 - Link Analysis** are included as **Attachment B**. Table 3 demonstrates the links will operate at an acceptable LOS at buildout.

The applicable pages from the Martin County 2019 Roadway Level of Service Report and background traffic data to include The Loft development are included in **Attachment C**.

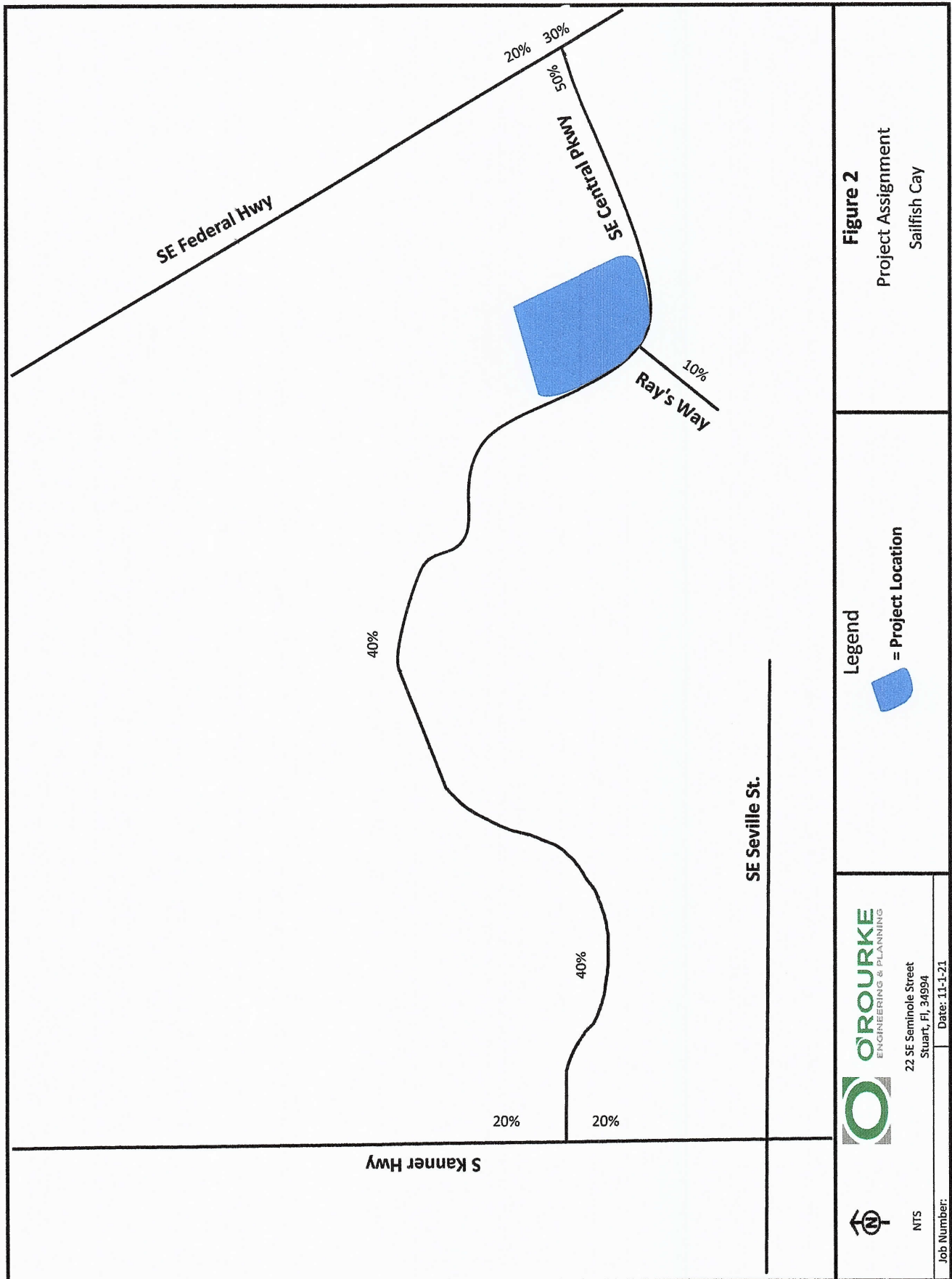
The need for a right turn lane was evaluated against FDOT thresholds. With 14 right turns as the highest expected volumes, a right-turn lane is not needed. The left-turn threshold also is not met. The threshold and nomographs are included in **Attachment D**.

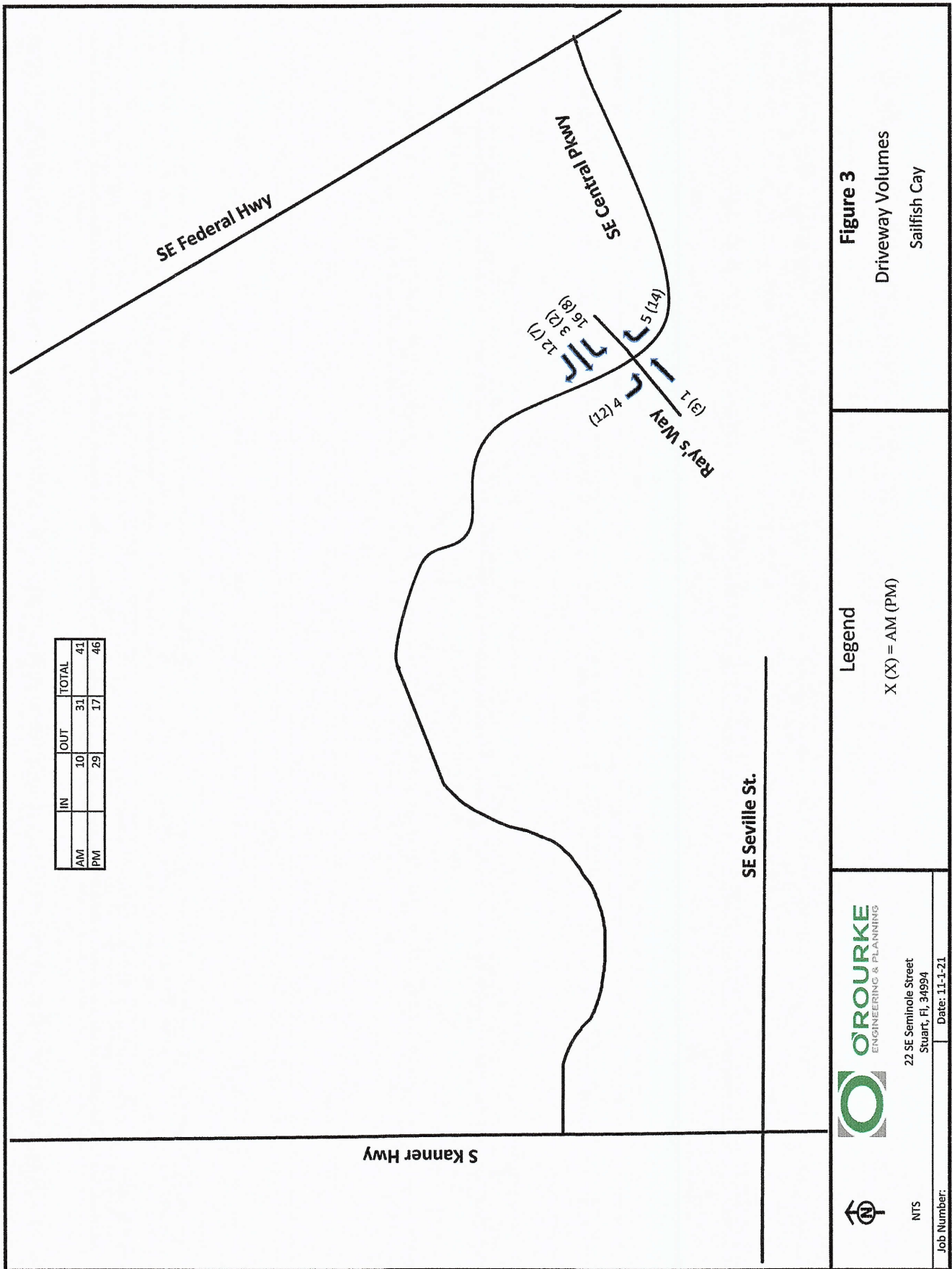
DRIVEWAY VOLUMES

The project will have full access to SE Central Parkway at Ray's Way. The driveway volumes are shown in **Figure 3**. The HCS analysis are included in Attachment D. The driveway will accommodate the minor increase in traffic. The driveway will operate at LOS B in the AM peak hour and LOS B in the PM peak hour. Traffic from The Loft was also included at the driveway.

CONCURRENCY REVIEW/ CONCLUSION

The Sailfish Cay development will have a traffic impact of 41 AM peak hour trips with 10 in and 31 out and 46 PM peak hour trips with 29 in and 17 out. These trips will not cause levels of service to fall below acceptable levels in the future. Therefore, the project does not require additional analysis and is deemed to be consistent with city transportation concurrency requirements.



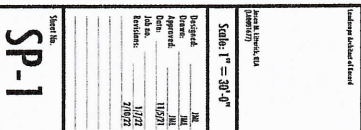


ATTACHMENT A

Site Plan



Scale: 1" = 30' 0"
 Scale: 1" = 30' 0"
 Date: 11/5/71
 Drawn by: JML
 Checked by: JML
 Job No.: 11/5/71
 Residents: 11/5/71
 21/0/71



ATTACHMENT B

Percent Assignment Link Analysis

Table 2a: Percent Impact - AM Peak Hour

Segment	From	To	Lanes	Is Project Traffic 5% or More of Capacity?	LOS D Directional Peak Hour	Directional Peak Project Volume	Project Percent Assignment	Directional Percent Project of Capacity
Kanner Highway (SR-76)	SR-714	US 1	6LD	No	3,020	6	20%	0.20%
US 1	SR-714	SR 5a	6LD	No	3,020	9	30%	0.30%
Central Pkwy	Kanner	SR 5	4LD	No	1,630	16	50%	0.98%

In 10
Out 31
Years Grown 4

Table 2b: Percent Impact - PM Peak Hour

Segment	From	To	Lanes	Is Project Traffic 5% or More of Capacity?	LOS D Directional Peak Hour	Directional Peak Project Volume	Project Percent Assignment	Directional Percent Project of Capacity
Kanner Highway (SR-76)	SR-714	US 1	6LD	No	3,020	6	20%	0.20%
US 1	SR-714	SR 5a	6LD	No	3,020	9	30%	0.30%
Central Pkwy	Kanner	SR 5	4LD	No	1,630	16	50%	0.98%

In 29
Out 17
Years Grown 4

Table 3a: Link Analysis - AM Peak Hour

Segment	From	To	Lanes	Is Project Traffic 5% or More of Capacity?	2019 Volume Peak Hour Peak Direction	Growth Rate	2023 Volume Peak Hour Peak Direction	LOS D Directional Peak Hour	Directional Peak Project Volume	Committed Background Project Volume	Project Percent Assignment	Directional Percent Project of Capacity	Total Traffic (Peak Direction)	Does Project Meet Concurrency?
Kanner Highway (SR-76)	US 1	US 1	6LD	No	1,006	1.005	1,026	3,020	6	17	20%	0.20%	1032	Yes
US 1	SR-714	SR 5a	6LD	No	1,822	1.005	1,859	3,020	9	10	30%	0.30%	1868	Yes
Central Pkwy	Kanner	SR 5	4LD	No	206	1.02	214	1,630	16	32	50%	0.98%	262	Yes

Note: Central Parkway reflects a 2021 count

In	10
Out	31
Years Grown	4

Table 3b: Link Analysis - PM Peak Hour

Segment	From	To	Lanes	Is Project Traffic 5% or More of Capacity?	2019 Volume Peak Hour Peak Direction	Growth Rate	2023 Volume Peak Hour Peak Direction	LOS D Directional Peak Hour	Directional Peak Project Volume	Committed Background Project Volume	Project Percent Assignment	Directional Percent Project of Capacity	Total Traffic (Peak Direction)	Does Project Meet Concurrency?
Kanner Highway (SR-76)	US 1	US 1	6LD	No	1,006	1.005	1,026	3,020	6	18	20%	0.20%	1032	Yes
US 1	SR-714	SR 5a	6LD	No	1,822	1.005	1,859	3,020	9	10	30%	0.30%	1868	Yes
Central Pkwy	Kanner	SR 5	4LD	No	206	1.02	248	1,630	16	34	50%	0.98%	298	Yes

Note: Central Parkway reflects a 2021 count

In	29
Out	17
Years Grown	4

ATTACHMENT C

Martin County Roadway Level of Service Report Background Data

Martin County 2019 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2019 Average Annual Daily Traffic	2019 Peak Hour Directional Volume	2019 Generalized LOS	Avg. Annual Growth Rate
Salerno Rd	SR-5	Commerce Ave	Class II: 2-Ln Undivided	750	9,794	440	D	8.0%
Salerno Rd	Commerce Ave	CR-A1A	Class II: 2-Ln Undivided	750	7,955	346	C	0.5%
Seabranh Blvd	Doubletree Dr	SR-5	Class I: 4-Ln Divided	2000	6,693	335	C	0.5%
Sewalls Pt Rd	SR-A1A	Palmer St	2-Ln Undivided Non-State	675	9,496	470	D	3.0%
Skyline Dr	CR-707A	CR-707	2-Ln Undivided Non-State	675	1,634	84	C	0.5%
SR-5 (US-1)	Palm Beach County	CR-A1A	Transitional 4-Ln Uninter / Divided Flow	3110	20,848	1,062	A/B	1.9%
SR-5 (US-1)	CR-A1A	CR-708	Class I: 4-Ln Divided	2000	17,201	1,001	C	3.1%
SR-5 (US-1)	CR-708	Osprey St	Class I: 4-Ln Divided	2000	24,807	1,670	C	2.2%
SR-5 (US-1)	Osprey St	Seabranh Blvd	Class I: 4-Ln Divided	2000	23,579	1,046	C	0.6%
SR-5 (US-1)	Seabranh Blvd	Cove Rd	Class I: 6-Ln Divided	3020	30,507	1,426	C	0.5%
SR-5 (US-1)	Cove Rd	Salerno Rd	Class I: 6-Ln Divided	3020	32,412	1,433	C	0.5%
SR-5 (US-1)	Salerno Rd	Monroe St	Class I: 6-Ln Divided	3020	40,491	1,673	C	0.5%
SR-5 (US-1)	Monroe St	Indian St	Class I: 6-Ln Divided	3020	37,491	1,859	C	0.5%
SR-5 (US-1)	Indian St	SR-714	Class I: 6-Ln Divided	3020	45,498	2,267	C	0.5%
SR-5 (US-1)	SR-714	SR-5A	Class I: 6-Ln Divided	3020	37,271	1,822	C	0.5%
SR-5 (US-1)	SR-5A(Cut-off Rd)	SR-76	Class I: 6-Ln Divided	3020	32,616	1,625	C	0.5%
SR-5 (US-1)	SR-76	Palm City Rd	Class II: 6-Ln Divided	2520	47,483	1,986	D	0.5%
SR-5 (US-1)	Palm City Rd	Joan Jefferson Wy	Class II: 6-Ln Divided	2520	54,897	2,473	D	0.5%
SR-5 (US-1)	Joan Jefferson Wy	Wright Blvd	Class I: 6-Ln Divided	3020	59,873	2,874	C	0.5%
SR-5 (US-1)	Wright Blvd	Baker Rd	Class I: 6-Ln Divided	3020	52,644	2,491	C	0.5%
SR-5 (US-1)	Baker Rd	Britt Rd	Class I: 6-Ln Divided	3020	51,826	2,481	C	0.5%

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB) and Murphy Rd (PM/NB).

Martin County 2019 Roadway Level of Service Inventory Report

Road Name	From	To	Type	Generalized Service Capacity	2019 Average Annual Daily Traffic	2019 Peak Hour Directional Volume	2019 Generalized LOS	Avg. Annual Growth Rate
SR-732 (Jensen Beach Blvd)	SR-5	Green River Pkwy	Class I: 4-Ln Divided	2000	25,949	1,349	C	0.5%
SR-732 (Jensen Beach Blvd)	Green River Pkwy	CR-723	Class I: 4-Ln Divided	2000	23,804	1,154	C	0.5%
SR-76 (Kanner Hwy)	SR-15	SR-710	Uninterrupted Rural Hwy: 2-Ln Undivided	740	2,134	111	A/B	6.1%
SR-76 (Kanner Hwy)	SR-710	CR-708	Uninterrupted Rural Hwy: 2-Ln Undivided	740	3,412	151	A/B	0.9%
SR-76 (Kanner Hwy)	CR-708	CR-711/CR-76A	Transitional 2-Ln Uninter /Undivided Flow	1200	2,889	168	A/B	0.5%
SR-76 (Kanner Hwy)	CR-711/CR76A	Locks Rd	Class I: 4-Ln Divided	2000	13,401	831	C	1.7%
SR-76 (Kanner Hwy)	Locks Rd	Jack James	Class I: 4-Ln Divided	2000	19,231	920	C	0.5%
SR-76 (Kanner Hwy)	Jack James	Cove Rd	Class I: 6-Ln Divided	3020	43,880	2,372	C	0.6%
SR-76 (Kanner Hwy)	Cove Rd	Salerno Rd	Class I: 6-Ln Divided	3020	34,493	1,495	C	1.0%
SR-76 (Kanner Hwy)	Salerno Rd	Indian St	Class I: 6-Ln Divided	3020	30,912	1,293	C	2.6%
SR-76 (Kanner Hwy)	Indian St	SR-714	Class I: 6-Ln Divided	3020	21,116	993	C	0.5%
SR-76 (Kanner Hwy)	SR-714	SR-5	Class I: 6-Ln Divided	3020	25,158	1,006	C	0.5%
SR-A1A (Ocean Blvd)	SR-714	St Lucie Blvd	Class II: 4-Ln Divided	1630	19,437	1,081	D	0.6%
SR-A1A (Ocean Blvd)	St Lucie Blvd	Sewalls Point Rd	Class I: 4-Ln Divided	2000	23,060	1,127	C	1.0%
SR-A1A (Ocean Blvd)	Sewalls Point Rd	MacArthur Blvd	Class I: 2-Ln Divided	925	13,597	845	C	0.5%
SR-A1A (Ocean Blvd)	MacArthur Blvd	SR-732	2-Ln Uninter /Undivided Flow	1190	8,532	407	A/B	3.1%
SR-A1A (Ocean Blvd)	SR-732	St Lucie County	2-Ln Uninter /Undivided Flow	1190	14,752	870	D	1.8%
St Lucie Blvd	CR-A1A	Indian St	2-Ln Undivided Non-State	675	3,305	172	C	0.5%
St Lucie Blvd	Indian St	SR-A1A	2-Ln Undivided Non-State	675	7,524	429	D	3.3%
Westmoreland Blvd	St Lucie County	SR-5	Class II: 2-Ln Divided	790	12,271	601	D	1.0%
Willoughby Blvd	Cove Rd	Salerno Rd	Class I: 2-Ln Undivided	880	4,332	214	C	8.0%

Segments with shaded LOS require additional analysis.
The peaks are: CR-A1A (PM/SB) and Murphy Rd (PM/NB).

TABLE 7

Generalized **Peak Hour Directional** Volumes for Florida's
Urbanized Areas

January 2020

INTERRUPTED FLOW FACILITIES						UNINTERRUPTED FLOW FACILITIES					
STATE SIGNALIZED ARTERIALS						FREEWAYS					
Class I (40 mph or higher posted speed limit)						Core Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	830	880	**	2	2,230	3,100	3,740	4,080	
2	Divided	*	1,910	2,000	**	3	3,280	4,570	5,620	6,130	
3	Divided	*	2,940	3,020	**	4	4,310	6,030	7,490	8,170	
4	Divided	*	3,970	4,040	**	5	5,390	7,430	9,370	10,220	
						6	6,380	8,990	11,510	12,760	
Class II (35 mph or slower posted speed limit)						Urbanized					
Lanes	Median	B	C	D	E	Lanes	B	C	D	E	
1	Undivided	*	370	750	800	2	2,270	3,100	3,890	4,230	
2	Divided	*	730	1,630	1,700	3	3,410	4,650	5,780	6,340	
3	Divided	*	1,170	2,520	2,560	4	4,550	6,200	7,680	8,460	
4	Divided	*	1,610	3,390	3,420	5	5,690	7,760	9,520	10,570	
Non-State Signalized Roadway Adjustments						Freeway Adjustments					
(Alter corresponding state volumes by the indicated percent.)						Auxiliary Lane + 1,000 Ramp Metering + 5%					
Non-State Signalized Roadways - 10%											
Median & Turn Lane Adjustments						UNINTERRUPTED FLOW HIGHWAYS					
Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors		Lanes	Median	B	C	D	E
1	Divided	Yes	No	+5%		1	Undivided	580	890	1,200	1,610
1	Undivided	No	No	-20%		2	Divided	1,800	2,600	3,280	3,730
Multi	Undivided	Yes	No	-5%		3	Divided	2,700	3,900	4,920	5,600
Multi	Undivided	No	No	-25%							
—	—	—	Yes	+ 5%							
One-Way Facility Adjustment						Uninterrupted Flow Highway Adjustments					
Multiply the corresponding directional volumes in this table by 1.2						Lanes	Median	Exclusive left lanes	Adjustment factors		
						1	Divided	Yes	+5%		
						Multi	Undivided	Yes	-5%		
						Multi	Undivided	No	-25%		
BICYCLE MODE²						¹ Values shown are presented as peak hour directional volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the HCM and the Transit Capacity and Quality of Service Manual.					
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						² Level of service for the bicycle and pedestrian modes in this table is based on number of vehicles, not number of bicyclists or pedestrians using the facility.					
Paved Shoulder/Bicycle						³ Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.					
Lane Coverage	B	C	D	E		* Cannot be achieved using table input value defaults.					
0-49%	*	150	390	1,000		** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.					
50-84%	110	340	1,000	>1,000		Source:					
85-100%	470	1,000	>1,000	**		Florida Department of Transportation					
PEDESTRIAN MODE²						Systems Implementation Office					
(Multiply vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)						https://www.fdot.gov/planning/systems/					
Sidewalk Coverage	B	C	D	E							
0-49%	*	*	140	480							
50-84%	*	80	440	800							
85-100%	200	540	880	>1,000							
BUS MODE (Scheduled Fixed Route)³											
(Buses in peak hour in peak direction)											
Sidewalk Coverage	B	C	D	E							
0-84%	> 5	≥ 4	≥ 3	≥ 2							
85-100%	> 4	≥ 3	≥ 2	≥ 1							

SIGNIFICANCE

Significant Impact

A project significantly impacts a facility if its peak hour trips use more than five percent (5%) of a roadway's capacity (City of Stuart Code, 4.05.02 Traffic Impact Analysis). The project's traffic assignment and net external trips were utilized to determine the number of project trips on each road segment. Central Parkway is unclassified in the City's comprehensive plan. Therefore, Central Parkway service volumes are estimated based on FDOT's 2020 Q/LOS Manual. Central Parkway is a 4-lane divided roadway and is a Class II based on its 25 MPH posted speed limit. In addition, a 10 percent reduction in capacity was applied because this is a local roadway. The resultant estimated peak hour peak direction capacity is 1,530 based on the City's adopted LOS E standard ($1,700 \times 0.9$).

In order to determine the project significance, the project's trips were divided by the roadway segment capacity. Based on the City's significance methodology, the proposed project does not significantly impact Central Parkway. The roadway capacities and the project significance are shown in Table 2.

Study Area

Based on Section 4.05.02 of the Code, the study area for transportation concurrency is all links and aggregated segments or parts thereof, on the major road network on which the project traffic has an impact of at least 5 percent and the first directly accessed roadway link (segment).

Table 2. Project Impacts 1-Way Peak Hour (Significance)

Roadway	From	To	Lanes	Generalized Service Capacity	Assign	Project Traffic	Significance	Significant Impact (Y/N)
Central Parkway	Kanner Hwy	Project	4	1,530	50%	26	1.70%	no
	Project	SE Ray's Way	4	1,530	65%	34	2.22%	no
	SE Ray's Way	US 1	4	1,530	40%	21	1.37%	no

As shown in Table 2, there are no roadways that are significantly impacted by the project.

EXHIBIT 1 Central Parkway Lofts Trip Generation									
Land Use	Intensity		Daily	AM Peak Hour		PM Peak Hour			
			Trips	Total	In	Out	Total	In	Out
Proposed Site Traffic									
Multifamily Housing(Mid-Rise)	196	DU	1,066	66	17	49	85	52	33
NET CHANGE IN TRIPS (FOR THE PURPOSES OF CONCURRENCY)			1,066	66	17	49	85	52	33
NET CHANGE IN DRIVEWAY VOLUMES			1,066	66	17	49	85	52	33
Note: Trip generation was calculated using the following data:									
				Pass-by	AM Peak Hour		PM Peak Hour		
Land Use	ITE Code	Unit	Daily Rate	Rate	in/out	Rate	in/out	Equation	
Multifamily Housing(Mid-Rise)	221	DU	T = 5.45 (X) + -1.75	0%	26/74	Ln(T) = 0.98 Ln(X) + -0.98	61/39	Ln(T) = 0.96 Ln(X) + -0.63	

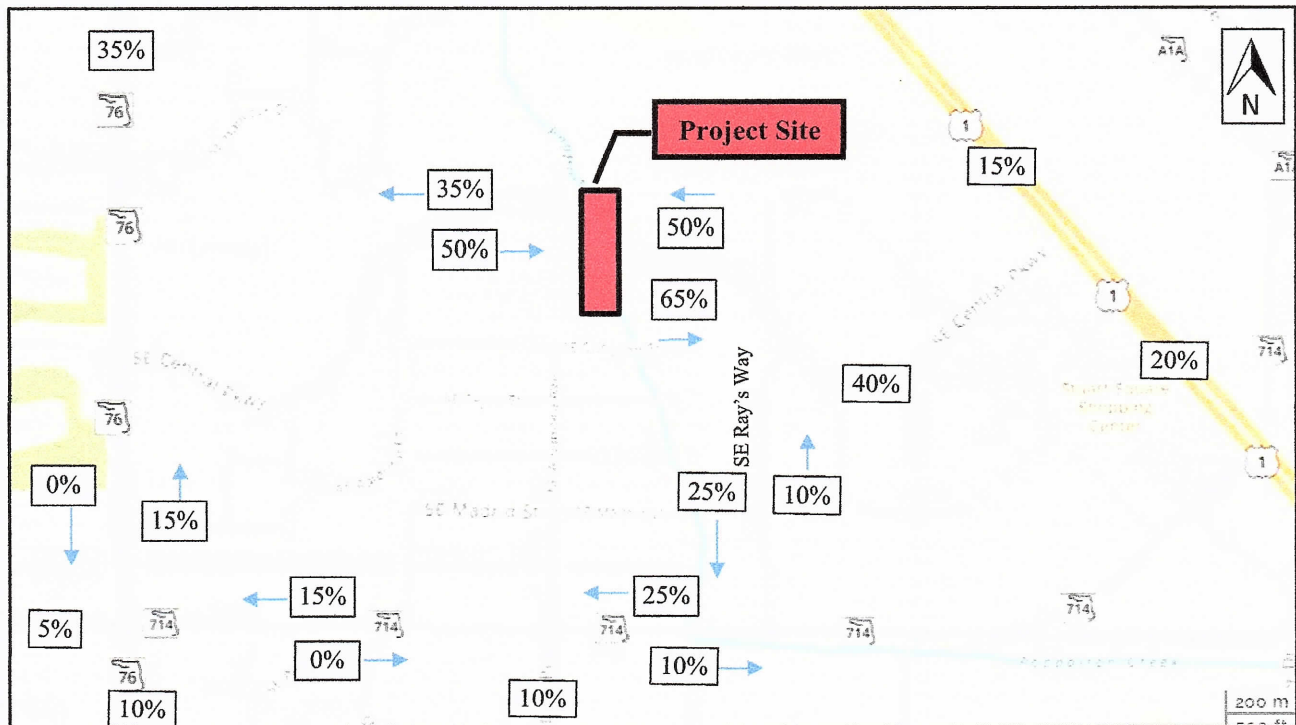
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TRAFFIC ASSIGNMENT

The traffic assignment was developed based upon existing and proposed developments, generators, destinations, and knowledge of the local area. These factors were applied using traffic engineering rationale similar to the gravity model.

- North – 50%
- South – 40%
- West – 5%
- East – 5%

Figure 2. Traffic Assignment



ATTACHMENT D

Driveway Volumes And Analysis

TURNING MOVEMENT VOLUME COUNTS

N/S STREET: Ray's Way
 FILENAME: 2/23/2021
 COUNT DATE: 1/5/2022
 REPORT DATE: 1/5/2022
 DAY: Tuesday
 ANALYSIS YEAR: 2023
 EW STREET: Central Parkway
 CITY: Stuart
 INTERSECTION: Ray's Way and Central Parkway
 CONTROL: TWSC

15 Min Period	Northbound				Southbound				Eastbound				Westbound				ONE HOUR SUM
	NBL	NBT	NBR	SBU	SBL	SST	SBR	EBL	EBT	EBR	WBL	WBT	WBR	TOTAL	WBR	TOTAL	
7:00-7:15																	0
7:15-7:30																	0
7:30-7:45																	0
7:45-8:00																	0
8:00-8:15																	0
8:15-8:30																	0
8:30-8:45																	0
8:45-9:00																	0

AM PEAK HOUR IS FROM: 7:00AM TO 8:00AM

Volumes	36	0	78	0	0	0	0	0	128	22	42	123	0	0	0	0
Season Factor	36	0	78	0	0	0	0	0	128	22	42	123	0	0	0	0
Growth	37	0	81	0	0	0	0	0	133	23	44	128	0	0	0	0
In/Out	0%	10%	0%	0%	50%	10%	40%	0%	0%	0%	0%	0%	0%	50%	0%	0%
PROJECT	0	1	0	0	16	3	12	4	0	0	0	0	0	5	41	0
In/Out	IN							OUT	OUT	OUT		IN				
Percentage	2							20	12			7				
LOFT																
Total	39	1	81	0	16	3	12	4	153	35	44	135	5	528		

Seasonal Factor: 1
 Trips In: 10
 Trips Out: 31
 Growth Rate: 1.02
 Years Grown: 2

15 Min Period	Northbound				Southbound				Eastbound				Westbound				ONE HOUR SUM
	NBL	NBT	NBR	SBU	SBL	SST	SBR	EBL	EBT	EBR	WBL	WBT	WBR	TOTAL	WBR	TOTAL	
4:00-4:15	1	0	11		0	0	0	0	23	8	26	25	0	94	0	94	395
4:15-4:30	3	0	12		0	0	0	0	27	6	19	39	0	106	0	106	429
4:30-4:45	3	0	4		0	0	0	0	26	9	15	24	0	81	0	81	424
4:45-5:00	8	0	14		0	0	0	0	30	3	25	34	0	114	0	114	428
5:00-5:15	8	0	12		0	0	0	0	40	18	19	31	0	128	0	128	390
5:15-5:30	6	0	13		0	0	0	0	34	13	12	23	0	101	0	101	
5:30-5:45	8	0	11		0	0	0	0	27	7	17	15	0	85	0	85	
5:45-6:00	0	0	6		0	0	0	0	20	9	16	25	0	76	0	76	

PM PEAK HOUR IS FROM: 4:15PM TO 5:15PM

Volumes	22	0	42	0	0	0	0	0	123	36	78	128	0	0	0	0
Season Factor	22	0	42	0	0	0	0	0	123	36	78	128	0	0	0	0
Growth	23	0	44	0	0	0	0	0	128	37	81	133	0	0	0	0
In/Out	0%	10%	0%	0%	50%	10%	40%	0%	0%	0%	0%	0%	0%	50%	0%	0%
PROJECT	0	3	0	0	8	2	7	12	0	0	0	0	0	14	46	0
In/Out	IN							OUT	OUT	OUT		IN				
Percentage	5							40%	25%	8		40%		21		
LOFT																
Total	28	3	44	0	8	2	7	12	141	46	81	155	14	541		

Seasonal Factor: 1
 Growth Rate: 1.02
 Trips In: 17
 Trips Out: 29
 Years Grown: 2

HCS 2010 Two-Way Stop-Control Report

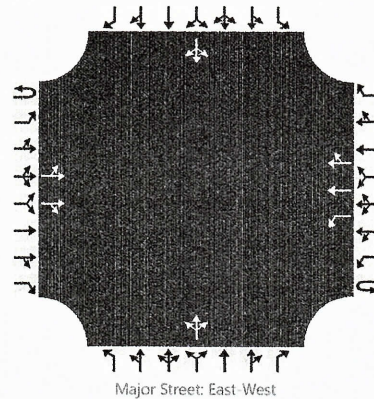
General Information

Analyst	Kyle Scherer
Agency/Co.	O'Rourke Engineering
Date Performed	1/3/2022
Analysis Year	2023
Time Analyzed	AM
Intersection Orientation	East-West
Project Description	Sailfish Cay

Site Information

Intersection	Ray's Way&Central Parkway
Jurisdiction	Martin County
East/West Street	Central Parkway
North/South Street	Ray's Way and Driveway
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	1	0
Configuration		LT		TR		L	T	TR			LTR				LTR	
Volume, V (veh/h)		4	153	35		44	135	5		39	1	81		16	3	12
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		4				48					131				33	
Capacity, c (veh/h)		1419				1358					785				666	
v/c Ratio		0.00				0.04					0.17				0.05	
95% Queue Length, Q ₉₅ (veh)		0.0				0.1					0.6				0.2	
Control Delay (s/veh)		7.5				7.7					10.5				10.7	
Level of Service, LOS		A				A					B				B	
Approach Delay (s/veh)	0.2				1.9				10.5				10.7			
Approach LOS									B				B			

HCS 2010 Two-Way Stop-Control Report

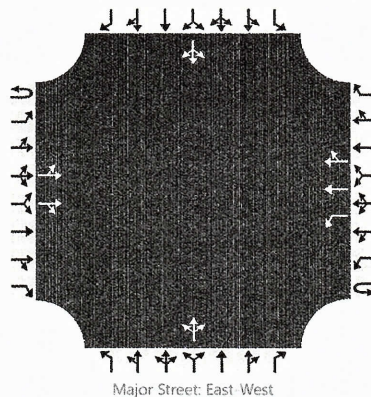
General Information

Analyst	Kyle Scherer
Agency/Co.	O'Rourke Engineering
Date Performed	1/3/2022
Analysis Year	2023
Time Analyzed	PM
Intersection Orientation	East-West
Project Description	Sailfish Cay

Site Information

Intersection	Ray's Way&Central Parkway
Jurisdiction	Martin County
East/West Street	Central Parkway
North/South Street	Ray's Way and Driveway
Peak Hour Factor	0.92
Analysis Time Period (hrs)	0.25

Lanes



Vehicle Volumes and Adjustments

Approach	Eastbound				Westbound				Northbound				Southbound			
Movement	U	L	T	R	U	L	T	R	U	L	T	R	U	L	T	R
Priority	1U	1	2	3	4U	4	5	6		7	8	9		10	11	12
Number of Lanes	0	0	2	0	0	1	2	0		0	1	0		0	1	0
Configuration		LT		TR		L	T	TR			LTR				LTR	
Volume, V (veh/h)		12	141	46		81	155	14		28	3	44		8	2	7
Percent Heavy Vehicles (%)		3				3				3	3	3		3	3	3
Proportion Time Blocked																
Percent Grade (%)									0				0			
Right Turn Channelized	No				No				No				No			
Median Type/Storage	Left Only								1							

Critical and Follow-up Headways

Base Critical Headway (sec)																
Critical Headway (sec)																
Base Follow-Up Headway (sec)																
Follow-Up Headway (sec)																

Delay, Queue Length, and Level of Service

Flow Rate, v (veh/h)		13				88					81					19
Capacity, c (veh/h)		1382				1359					694					595
v/c Ratio		0.01				0.06					0.12					0.03
95% Queue Length, Q ₉₅ (veh)		0.0				0.2					0.4					0.1
Control Delay (s/veh)		7.6				7.8					10.9					11.2
Level of Service, LOS		A				A					B					B
Approach Delay (s/veh)	0.5				2.5				10.9				11.2			
Approach LOS									B				B			

Central Parkway Lofts
PM PEAK HOUR TURNING MOVEMENTS
EXHIBIT 2
SE Ray's Way & Central Parkway

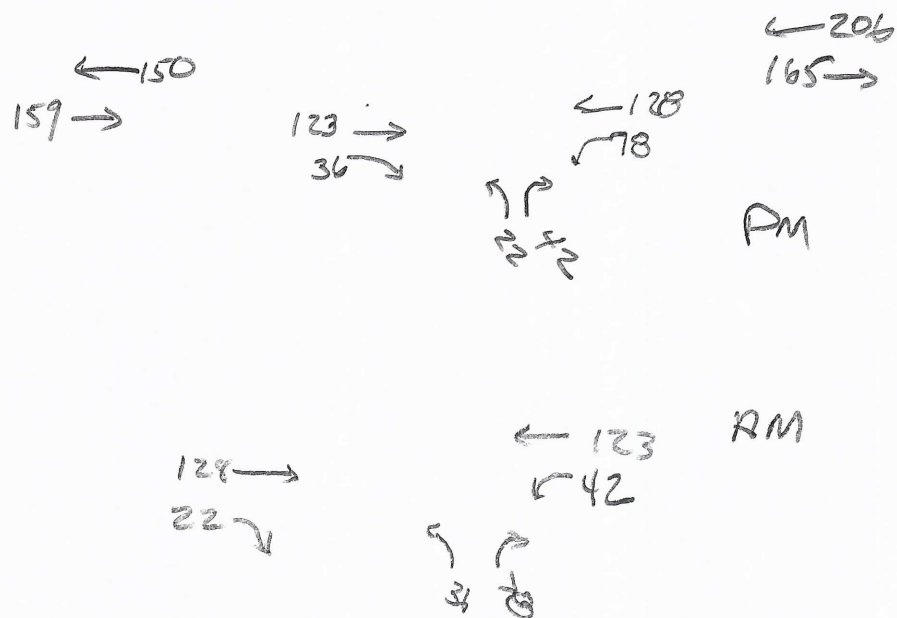
	cbu	cbl	cbr	cbr	wbu	wbl	wbr	wbr	nbu	nbl	nbt	nbr	sbu	sbl	sbr	sbr	totals
4:00 PM	0	0	23	8	0	26	25	0	0	1	0	11	0	0	0	0	94
4:15 PM	0	0	27	6	0	19	39	0	0	3	0	12	0	0	0	0	106
4:30 PM	0	0	26	9	0	15	24	0	0	3	0	4	0	0	0	0	81
4:45 PM	0	0	30	3	0	25	34	0	0	8	0	14	0	0	0	0	114
5:00 PM	0	0	40	18	0	19	31	0	0	8	0	12	0	0	0	0	128
5:15 PM	0	0	34	13	0	12	23	0	0	6	0	13	0	0	0	0	101
5:30 PM	0	0	27	7	0	17	15	0	0	8	0	11	0	0	0	0	85
5:45 PM	0	0	20	9	0	16	25	0	0	0	0	6	0	0	0	0	76
6:00 PM	0	0	227	73	0	149	216	0	0	37	0	3	0	0	0	0	785
Peak Hour Traffic Volume																	
4:15 PM	0	0	123	36	0	78	128	0	0	22	0	42	0	0	0	0	429

Count Taken: 2/23/2021
Buildout year: 2024
Growth Rate: 2.0%
Seasonal Factor: 1.00

	cbu	cbl	cbr	cbr	wbu	wbl	wbr	wbr	nbu	nbl	nbt	nbr	sbu	sbl	sbr	sbr
2/23/2021	0	0	123	36	0	78	128	0	0	22	0	42	0	0	0	0
PSCF	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Adjusted Volumes	0	0	123	36	0	78	128	0	0	22	0	42	0	0	0	0
Growth Rate	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%	2.0%
Growth	0	0	8	2	0	5	8	0	0	1	0	3	0	0	0	0
Pre-Development	0	0	131	38	0	83	136	0	0	23	0	45	0	0	0	0

PM Peak Hour West Central Parkway
WBT = WBT + NBL = 128 + 22 = 150
EBT = EBT + EBR = 123 + 36 = 159

PM Peak Hour East Central Parkway
WBT = WBT + WBL = 128 + 78 = 206
EBT = EBT + NBR = 123 + 42 = 165



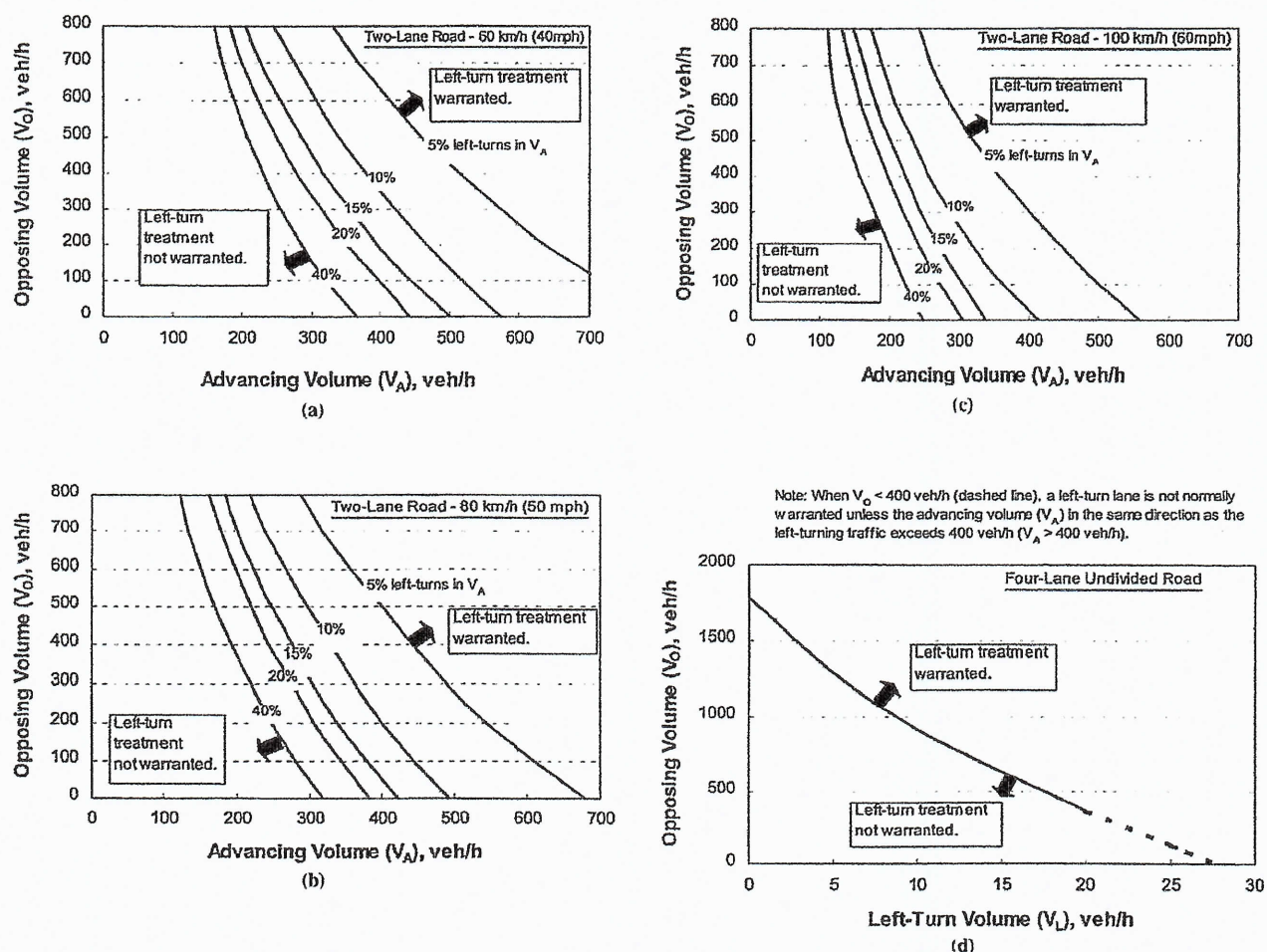


Figure 2-5. Guideline for determining the need for a major-road left-turn bay at a two-way stop-controlled intersection.

Application. The guidance stated in the preceding section defines the conditions that may justify the provision of a left-turn bay. Application of this guidance requires two types of data:

1. Major-road turn movement volume for the peak hour of the average day and
2. Major-road 85th percentile speed (posted speed can be substituted if data are unavailable).

Use of Figure 2-5 requires determination of the opposing volume, the advancing volume, and the operating speed. The opposing volume should include only the right-turn and through movements on the approach across from (and heading in the opposite direction of) the subject major-road approach. The advancing volume should include the left-turn, right-turn, and through movements on the subject approach. The operating speed can be estimated as the 85th percentile speed. If the operating speed does not coincide with 60, 80, or 100 km/h (i.e., 40, 50, or 60 mph), then interpolation can

be used or, as a more conservative approach, the operating speed can be rounded up to the nearest speed for which a figure is provided.

In application, Figure 2-5 is used once for each major-road approach to the intersection. The appropriate trend line is identified on the basis of the percentage of left-turns on the subject major-road approach. If the advancing and opposing volume combination intersects above or to the right of this trend line, a left-turn bay should be considered for the subject approach. If a bay is included at the intersection, it should be long enough to store left-turn vehicles 99.5 percent of the time (i.e., the bay should not overflow more than 0.5 percent of the time). Techniques for estimating this storage length are provided in the section, [Increase the Length of the Turn Bay](#).

Add a Right-Turn Bay on the Major Road

Introduction. Provision of a right-turn bay on the major road to a two-way stop-controlled intersection can signifi-

When Not to Consider Exclusive Right-Turn Lanes

- Dense or built-out corridors with limited space
- Right-turn lane that would negatively impact pedestrians or bicyclists
- Vehicular movements from driveways or median openings that cross the right-turn lane resulting in multiple threat crashes
- Context classifications C2T, C4, C5, or C6

When Exclusive Right-Turn Lanes are Beneficial

There are instances when adding an exclusive right-turn lane for unsignalized driveways are beneficial to traffic operations and safety. [Table 27](#) provides some guidance for this situation based on the speed limit of the roadway and how many right turns occur per hour. Locations where the Auto and Truck Modal Emphasis is "High" may be appropriate for consideration of Exclusive Right Turn Lanes.

Table 27 – Recommended Guidelines for Exclusive Right-Turn Lanes to Unsignalized Driveway¹⁰

Roadway Posted Speed Limit	Number of Right Turns Per Hour
45 mph or less	80 – 125 ¹
Over 45 mph	35 – 55 ²
<i>Note: A posted speed limit of 45 mph may be used with these thresholds if the operating speeds are known to be over 45 mph during the time of peak right turn demand.</i> <i>Note on traffic projections: Projecting turning volumes is, at best, a knowledgeable estimate. Keep this in mind especially if the projections of right turns are close to meeting the guidelines. In that case, consider requiring the turn lane.</i> ¹ The lower threshold of 80 right-turn vehicles per hour would be most used for higher volume (greater than 600 vehicles per hour, per lane in one direction on the major roadway) or two-lane roads where lateral movement is restricted. The 125 right-turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with a large entry radius (50 feet or greater). ² The lower threshold of 35 right-turn vehicles per hour would be most appropriately used on higher volume two-lane roadways where lateral movement is restricted. The 55 right-turn vehicles per hour upper threshold would be most appropriate on lower volume roadways, multilane highways, or driveways with large entry radius (50 feet or greater).	

Source: [NCHRP Report 420 \(Impacts of Access Management Techniques\)](#)

These recommendations are primarily based on the research done in [NCHRP Report 420, Impacts of Access Management Techniques, Chapter 4 – Unsignalized Access Spacing \(Technique 1B\), and Use of Speed Differential as a Measure to Evaluate the Need for Right-Turn Deceleration Lane at Unsignalized Intersections](#).

In the *NCHRP Report 420*, the observed high-speed roads, 30 to 40 right-turn vehicles per hour caused evasive maneuvers on 5 - 10 percent of the following through vehicles. For lower speed roadways, 80 to 110 right-turn vehicles caused 15 - 20 percent of the following through vehicles to make evasive maneuvers. The choice of acceptable percentages of through vehicles impacted is a decision based on reasonable expectations of the different roadways.

In this study, by modeling speed differentials, a better understanding of the impacts of through volume and driveway radius was discovered.

¹⁰ May not be appropriate for signalized locations where signal phasing plays an important role in determining the need for right turn lanes.

October 21, 2021 **Revised: 02/17/2022 03/22/2022**

751 SE Central LLC
224 Chimney Corner Lane
Suite 3032
Jupiter, FL 33458
ATTN: Ryan Johnston

VIA Email: liz@johnstongroupinc.com

Reference: **Environmental Assessment**
751 SE Central Parkway
Stuart, Florida
Parcel ID # 09-38-41-011-000-00001-1

Dear Mr. Fischer,

EDC, Inc. (EDC) has completed this Environmental Assessment (EA) for the above referenced property. The purpose of this evaluation was to conduct a review of the above listed parcels by means of site visit, review of available aerial photography, listed species review, review of soil resources, and review of environmental regulations pertaining to this parcel.

The following report details the findings of our on-site and desktop investigations of the properties as they pertain to the City of Stuart developmental review regulations.

Please contact the undersigned if you have any questions regarding this report.

Respectfully submitted,
EDC, Inc.



Madison Quinones, BS, FWC AGTA, AWB®
Wildlife Biologist | Project Scientist



ENVIRONMENTAL ASSESSMENT

Parcel IDs: 09-38-41-011-000-00001-1
751 SE Central Parkway
Stuart, Florida

Date: October 21, 2021 **Revised: 02/17/2022 03/22/2022**
Project # 21-353

Prepared For:

751 SE Central LLC
224 Chimney Corner Lane
Jupiter, FL 33458
ATTN: Ryan Johnston
liz@johnstongroupinc.com

Prepared By:

EDC, Inc.
10250 SW Village Parkway
Port St Lucie, Florida 34987
(772) 223-5200

The subject property evaluated as part of this Environmental Assessment consists of one tax parcel (Parcel ID # 09-38-41-011-000-00001-1) comprised of 4.88 acres. The property is classified by the Martin County Property Appraiser as vacant institutional land (land use code 7000). The subject property has a Future Land Use Designation of Institutional (INST) and is located in the Residential – Multi Family / Office (R3) zoning district. The subject property is located at 751 SE Central Parkway in Stuart, Florida. The subject property is further located within Section 09, Township 38 South, and Range 41 East.

This environmental assessment was completed as a precursor to permitting and review by governmental agencies as an applicable document for the supporting information associated with a building permit or land development application. EDC, Inc. staff visited the property on October 20, 2021 in order to ascertain the status and composition of any critical habitats, such as wetlands and native uplands that may be onsite.

VEGETATION:

It is the opinion of EDC that there is no native upland habitat located on site. The upland habitat consisted of the following FLUCCS (Florida Land Use & Cover Classification System) code; 740 – disturbed lands. According to Google Earth aerial images, the land was previously cleared and developed during the late 90s to early 2000s. The buildings appeared to be demolished in 2007-2008. Since then, the land has been maintained via mowing. It is important to note that there is native vegetation present, but the native vegetation does not have significant associations and is therefore not considered to be native habitat.

Common Name	Species Name
Cabbage Palm	<i>Sabal Palmetto</i>
Slash Pine	<i>Pinus elliottii var. densa</i>
Saw Palmetto	<i>Serenoa repens</i>
Broom Grass	<i>Andropogon spp.</i>
Bahia Grass**	<i>Paspalum notatum</i>
Brazilian Pepper**	<i>Schinus terebinthifolia</i>

*Nuisance Vegetation

**Exotic/Invasive Vegetation

Table 1: This table lists a representative sample of upland vegetative species observed during the site visit.

WETLAND DELINEATION:

According to aerial photographs and site visit, it appears that there are no State jurisdictional wetlands on site. Based on the State definition, a wetland consists of three components: 1) hydric soils, 2) wetland plants, and 3) hydrologic indicators. None of these components were found during the field reconnaissance on the property.

Please refer to the attached Florida Land Use and Cover Classification System (FLUCCS) map for the approximate location of the habitat(s) delineated onsite.

WILDLIFE EVALUATION:

EDC, Inc. conducted a pedestrian survey throughout the property to investigate for the presence of any plant or animal listed species. The potential for gopher tortoise habitat was observed on site. EDC's FWC Authorized Agent conducted a 100% gopher tortoise survey on February 21, 2022. No burrows were located on site. Please be aware that the survey expires after 90 days. If the survey expires prior to construction commencement, another 100% survey will be conducted prior to any land clearing activity.

Due to there being no native upland habitat, wetlands, and/or other surface waters located on site, historical and continued anthropogenic disturbance (clearing, development, mowing, etc.), and no connection to any adjoining significant native habitats, it is unlikely that any other listed animal species is located onsite.

SOIL COMPOSITION:

Based on a review of the US Department of Agriculture (USDA) Web Soil Survey, the site is composed of:

Waveland sand – This is a nearly level, poorly drained soil found in broad open areas of the flatwoods. The natural vegetation associated with this soil type is slash pine and an understory of saw palmetto, gallberry, fetterbush, running oak, and dwarf huckleberry. Grasses are pineland threeawn, bluestem and panicum. Typically, the surface layer is dark gray sand with a light gray and grayish brown subsurface layer. Under natural conditions, this soil is not suited to cultivate crops or for pasture because of ponding. However, if intensive management, soil improving measures and a good water control system are implemented, the soil is suitable for vegetable crops and pasture.

Immokalee fine sand – This is a poorly drained soil found in broad areas of flatwoods. Typically the surface layer is very dark gray fine sand about 6 inches thick. The subsurface layer extends to a depth of 35 inches and is fine sand. The seasonal high water table in Immokalee soil is at a depth of 6 to 8 inches from June through September. During the remainder of the year it is typically at a depth of 18 to 40 inches. Natural vegetation consists of slash pine and scattered oak with an understory of saw palmetto, gallberry, fetterbush, pineland threeawn, chalky bluestem, and Indian grass. This soil is poorly suited for crops and citrus. Water control measures are needed to overcome excessive wetness.

CITY OF STUART REGULATIONS:

The following lists the City of Stuart Land Development Code (LDC) that apply to the subject property. As part of the local approval process, the applicant will be required to comply with the below items.

Section 5.04.00: *No site clearing of any land within the city shall be permitted without city approval. For sites where less than 25% of the development site exists as native vegetative area, all native vegetative areas shall be preserved.*

No native upland habitat was located on site. It is important to note that there is native vegetation present, but the native vegetation does not have significant associations and is therefore not considered to be native habitat.

Section 5.05.00: *A tree location map shall be included with the application for site plan approval. Protected trees include slash pines with a DBH of ten inches, or any other tree referenced in chapter V of the LDC with a DBH of 4.5 inches (City of Stuart Tree List) or with a DBH of six inches for flowering trees (City of Stuart Flowering Tree List).*

Trees meeting the City of Stuart protected tree species criteria are located on site and a tree survey will need to be conducted to include with the site plan submittal.

SUMMARY:

The subject property evaluated as part of this Environmental Assessment consists of one tax parcel (Parcel ID # 09-38-41-011-000-00001-1) comprised of 4.88 acres. The property is classified by the Martin County Property Appraiser as vacant institutional land (land use code 7000). The subject property is located at 751 SE Central Parkway in Stuart, Florida.

It is the professional opinion of EDC that there is no native upland habitat or wetlands located on site. However, it is important to note that there is native vegetation present, but the native vegetation does not have significant associations and is therefore not considered to be native habitat. Accordingly, trees meeting the City of Stuart protected tree species criteria are located on site and a tree survey will need to be conducted to include with the site plan submittal. Further tree protection actions such as mitigation, may be required based off the survey.

Lastly, gopher tortoise habitat was observed on site and a 100% gopher tortoise survey was conducted by EDC's Florida Fish and Wildlife Conservation Commission (FWC) Authorized Agent and no burrows were located onsite. Due to there being no native upland habitat, wetlands, and/or other surface waters located on site, historical and continued anthropogenic disturbance (clearing, development, mowing, etc.), and no connection to any adjoining significant native habitats, it is unlikely that any other listed animal species is located onsite.



Environmental Assessment

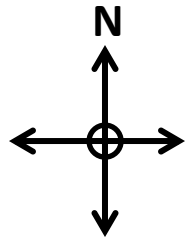
751 SE Central Parkway
Stuart, Florida

Location Map

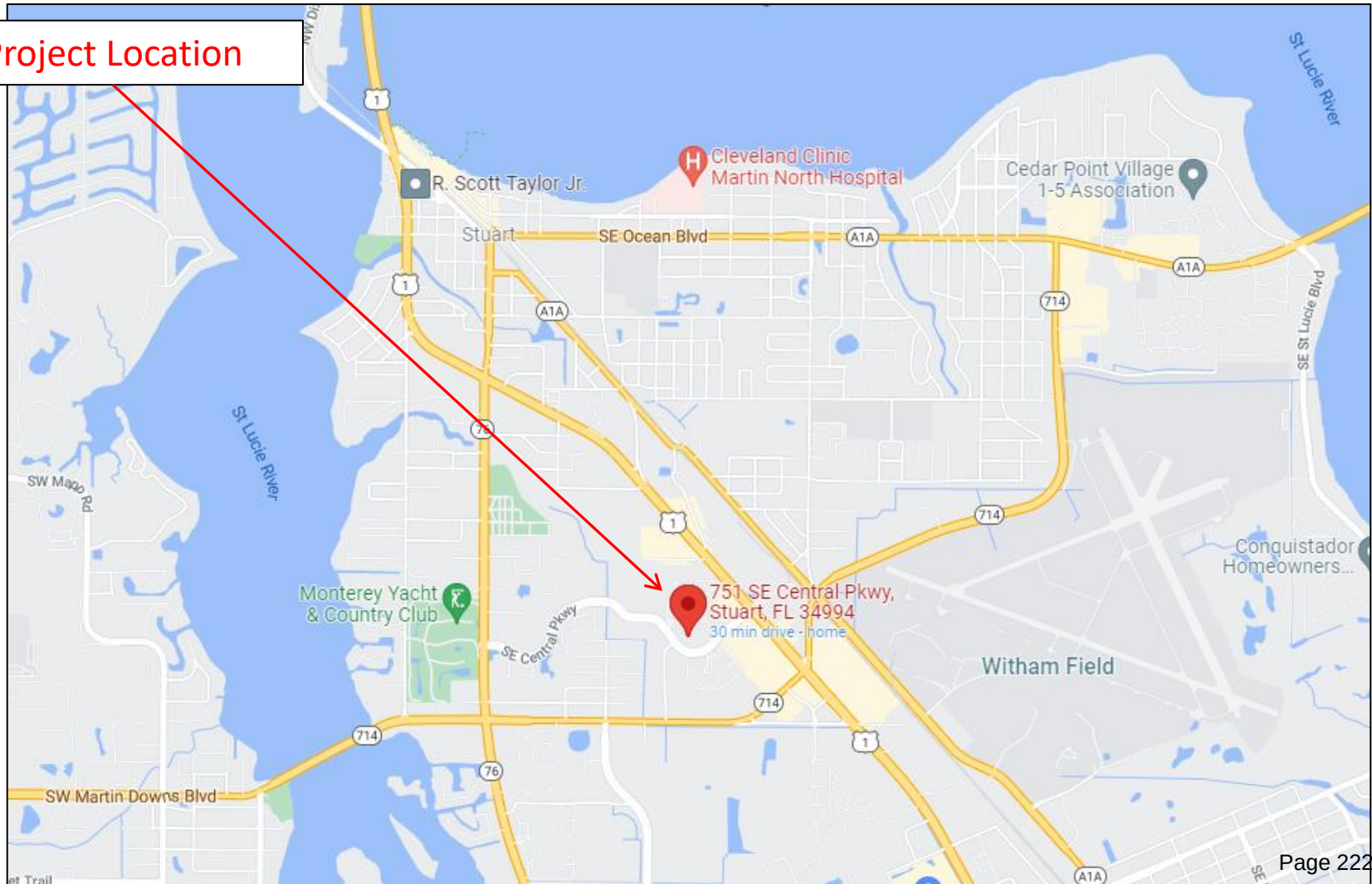
Project: 21-353

Johnston Group Inc.

10/21/2021



Project Location





Environmental Assessment

751 SE Central Parkway
Stuart, Florida

Property Appraiser Map

Project: 21-353

Johnston Group Inc.

10/21/2021





Environmental Assessment

751 SE Central Parkway
Stuart, Florida

Soil Map

Project: 21-353

Johnston Group Inc.

10/21/2021



Martin County, Florida (FL085)			
Martin County, Florida (FL085)			
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Waveland and Immokalee fine sands	4.8	100.0%
Totals for Area of Interest		4.8	100.0%



Environmental Assessment

751 SE Central Parkway
Stuart, Florida

Florida Land Use, Cover and Forms Classification System (FLUCCS) Map

Project: 21-353

Johnston Group Inc.

10/21/2021



FLUCCS Codes

740

Disturbed Lands

***This map demonstrates an approximation of habitat boundaries on site.**



Environmental Assessment

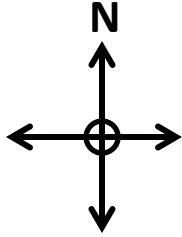
751 SE Central Parkway
Stuart, Florida

1995 Google Earth Aerial

Project: 21-353

Johnston Group Inc.

10/21/2021



Environmental Assessment

751 SE Central Parkway
Stuart, Florida

2003 Google Earth Aerial

Project: 21-353

Johnston Group Inc.

10/21/2021



Environmental Assessment

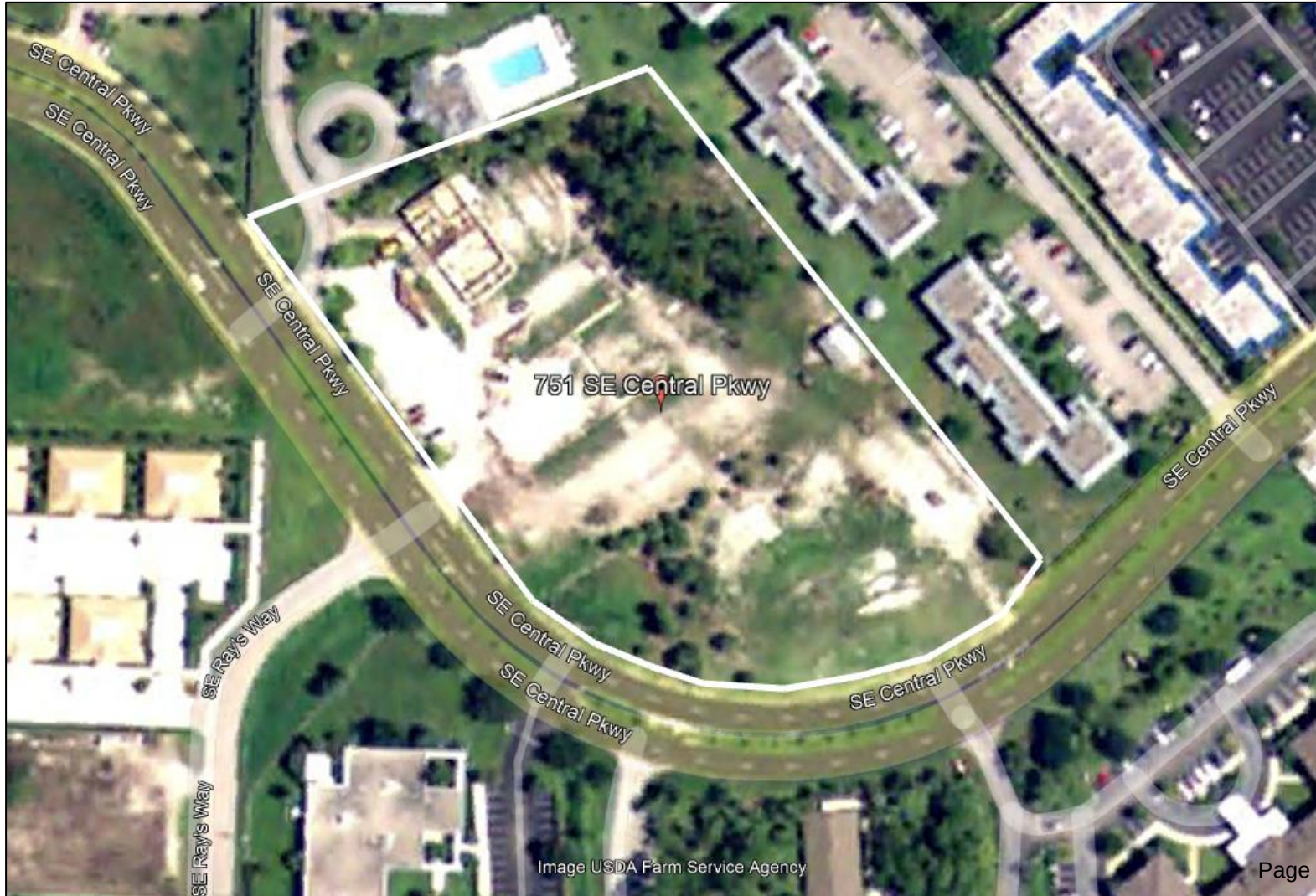
751 SE Central Parkway
Stuart, Florida

2007 Google Earth Aerial

Project: 21-353

Johnston Group Inc.

10/21/2021





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Environmental Assessment

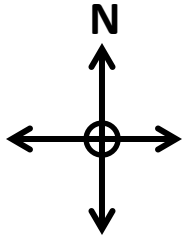
751 SE Central Parkway
Stuart, Florida

2009 Google Earth Aerial

Project: 21-353

Johnston Group Inc.

10/21/2021



Drainage Calculations & Surface Water Management Report

For

**Sailfish Cay
751 SE Central Parkway**

Prepared By: Mark Landsman

Engineering Design & Construction, Inc.

10250 SW Village Parkway, Suite 201

Port St. Lucie, FL 34987

Board of Professional Engineers Certificate of Authorization Number 9935

March 2022



MAR 25 2022

R.J. Kennedy, P.E. #56218 Date
10250 SW Village Parkway, Suite 201
Port St. Lucie, FL 34987 (772) 462-2455

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1.0 Executive Summary

The Sailfish Cay project proposes to develop a portion of a previously permitted Towne Park Professional Center and Condominiums. The Town Park Condominiums are located adjacent to and north of the Town Park Professional Center basin (4.88 acres – Sailfish Cay basin). Sailfish Cay proposes a multi-family residential community consisting of 60 townhomes with associated site improvements such as parking, a clubhouse with pool and a stormwater management system. The stormwater management system will consist of a 0.5-acre lake that will treat stormwater generated from the proposed development as well as accepting off-site flows from the Towne Park Condominiums to the north. The ultimate outfall for the project will remain the same in the post development condition, which discharges stormwater to the south to the Towne Park South (McCreary Offices) basin. Discharges eventually reach the Poppleton Creek and ultimately the St Lucie River. The project proposes low-impact development as part of the stormwater management system to limit run-off, retain additional stormwater, and reduce overall nitrogen and phosphorus discharge loads. The associated appendices include supporting documentation for assumptions made in this report.

2.0 History and Existing Storm Water Management System

In July 1990, the District approved of an ERP (Permit No. 43-00600-S, Application 900626-8) for a project known as McCreary Offices, which limits the discharge rate for the Towne Park North to 4.0 cfs.

In February 1992, the District approval of an ERP (Permit No. 43-00245-S-03, Application 920113-6) which identifies the control elevation, and minimum elevations for the proposed Sailfish Cay project.

The project site is generally flat with grades ranging from 11.3 to 15.1 NAVD. The center of the site has a slight mound that helps to sheet flows excess stormwater from the north to the south, eventually discharging to an existing culvert that conveys stormwater under

SE Central Parkway towards the south into the McCreary Offices basin. Stormwater is then conveyed through the McCreary Offices and underneath SE Rays Way into a ditch that runs north and south towards the Poppleton Creek. The ultimate outfall for the project is the Poppleton Creek and eventually the St Lucie River. Please see Appendix A for a map that depicts the stormwater flow path.

3.0 Drainage Calculation Summary

3.1 Project Description

The project is bound by the existing Towne Park Condominiums to the north and the east with a zoning designation of R-3 Multifamily residential. To the south of the project is the SE Central Parkway and eventually the McCreary offices and Solaris Healthcare Facility. The McCreary offices have a zoning designation of R-3 Multifamily residential, while the Solaris Healthcare Facility has a zoning designation of RPUD (Residential PUD). To the west of the project is the SE Central Parkway and existing developments with a zoning designation of CPUD (Commercial PUD).

Table 1-Site Details

Parcel ID	Size (acres)	Proposed FLU	Jurisdiction	Zone
09-38-41-011-00001-1	4.88	Multifamily	City of Stuart	RPUD

3.2 Datum

All elevations included on the project construction plans are in reference to the North American Vertical Datum 1988. The vertical datum conversion has been determined to be approximately 1.50 feet in the project area. This is used to convert NGVD to NAVD, in other words NGVD elevation minus 1.50 feet = NAVD elevation.

3.3 Proposed Stormwater Management System

The proposed stormwater management system for the site consists of a series of inlets connected via underground pipes and exfiltration trench system that convey stormwater to the on-site wet detention system (lake). The project accepts off site flows from the Towne Park Condominiums as stated in the drainage report for the Towne Park Professional Center. A copy of the drainage report is attached in Appendix E. A 10' drainage easement for the benefit of the Towne Park Condominiums runs through the center of the Sailfish Cay property allowing stormwater to discharge from the Towne Park Condominiums to the McCreary offices to the south. The applicant proposes to modify this easement in order to develop the site. Discharges from the Town Park Condominiums will be routed through the Sailfish Cay stormwater management system. Water quality will not be provided however, attenuation will be provided for this discharge via a control structure located in the proposed lake. A 590 linear foot exfiltration trench is proposed to assist in water quality treatment prior to discharging to the on-site lake for further treatment. The volume from the exfiltration trench is not counted towards stormwater capacity volume.

3.4 Low-Impact Development (LID)

The Sailfish Cay project proposes low-impact development (LID) as part of the stormwater management system. Bio-swales are proposed that are capable of providing up to 0.04 ac-ft of treatment volume before overflowing excess stormwater into the proposed lake. The site will also utilize 0.19 acres of pervious pavers to reduce the amount of run-off into the stormwater management system. The pervious pavers will count 50% towards pervious and 50% towards impervious. In addition, the water quality weir in the lake is set at an elevation of 11.00 NAVD which is greater than the required elevation of 9.74 NAVD. The required detention volume remaining in the lake is 0.18 ac-ft (at stage 9.74 NAVD), however the applicant is providing 1.32 ac-ft of detention volume (at stage 11.00 NAVD). This additional 1.32 ac-ft of detention volume equates to an excess treatment volume of over 730%.

3.5 Land Use Tables

The following Tables 2 and 3 outline the pre-development land use for the site versus the post development land use. An existing access easement on the southwest corner of the subject property consists of the only impervious area in the pre-development condition.

Table 2-Pre-Development Land Use

Land Use	Area (ac)	Percentage of Site (%)
Impervious (Pavement Concrete)	0.042	0.8%
Building	0.00	0.00%
Pervious (not including wetlands)	4.84	99.2%
Basin Area	4.88	100

Table 3-Post Development Land Use

Land Use	Impervious Area (ac)	Pervious Area (ac)	Percentage of Site (%)
Building	1.63	0.00	33.40%
Pervious Pavers	0.095	0.095	3.89%
Pavement and Concrete	1.156	0.00	23.69%
Lake	0.50	0.128	12.86%
Bio-Swale	0.00	0.12	2.46%
Pervious	0.00	1.16	23.77%
Site Area:	3.381	1.503	100

3.6 Control Elevation

The control elevation for the project is at 8.50 NAVD. A geotechnical report was completed by Andersen Andre Consulting Engineers, Inc. on July 19, 2020 (included in Appendix D), which provides water table elevations and a hydraulic conductivity used in the exfiltration trench design. The borings in the report reveal that the water table was encountered approximately 7-feet below the surface, which results in a water table of approximately 6.00 NAVD. The borings were completed at the start of the wet season, therefore, it is anticipated that the wet season high water table would be approximately 2.5' higher than the water table encountered in the borings.

A review of an adjacent project known as Seaside, which is to the west of the Sailfish Cay property revealed a control elevation of 6.0 NAVD. It is assumed that the control elevation for this site will be lower than Sailfish Cay due to the proximity to the Poppleton Creek. According to the Towne Park Professional Center Drainage Report, the control elevation of the Towne Park Condos is at 8.5 NAVD. Flows from this site are routed into the Sailfish Cay site via sheet flow. A control elevation of 8.5 NAVD for the Towne Park Condos confirms the control elevation for the site should also be at 8.5 NAVD.

3.7 Tailwater

The tailwater condition for the site was derived from the assumed elevation of the drainage ditch that accepts discharges from the Towne Park North properties (Towne Park Condominiums and proposed Sailfish Cay), which are located on the north side of SE Central Parkway. As a conservative approach, the design storm tailwater condition was used for all simulations, except the 100-year 3-day storm event, which was modeled with zero discharge.

Table 4-Tailwater Condition

Time (hr)	Stage (ft) NAVD
0	10.00
55	11.25
70	12.25
360	10.00

3.8 Net Improvement (BMPTrains)

Due to the site changing land use from undeveloped to multi-family residential, net improvement calculations were performed to determine the required retention volume to reduce total nitrogen and phosphorus discharge loads. The BMP treatment train is set up as 3 catchments in series. Nitrogen and phosphorus removal efficiency is achieved by a combination of 590 LF of exfiltration trench, a lake that provides 16.556 ac-ft of permanent pool volume and a retention pond with a raised bleeder. The required

retention to meet efficiency for the entire treatment train is 2.44 inches. The exfiltration trench provides 1.13 inches of treatment while the retention pond provides 1.31 inches. Please see Appendix B for the details on the BMPTrains calculations.

3.9 Water Quality Treatment

The project proposes to treat run-off volume from the 4.88-acre site. Treatment for the discharge from the Towne Park Condominium is not provided in the proposed stormwater management system for the project. The treatment volume provided is 150% of the treatment volume due to the ultimate outfall being an Outstanding Florida Waterbody (OFW – St Lucie River). Due to the change in use for the site, net improvement retention volume controls.

Table 5-Water Quality Treatment Volume

	1-inch Over the Project Area	2.5-inches Times Percent Impervious	Net Improvement
Water Quality Treatment Volume (ac-ft)	0.41	0.61	0.99

In order to achieve the required water quality treatment for the project, an exfiltration trench in combination with a lake is proposed. The exfiltration trench is capable of treating 0.46 ac-ft of volume, while the remaining 0.44 ac-ft is provided in the lake with a raised bleeder at an elevation of 10.00 NAVD. The exfiltration trench is directly connected to a control structure that has a weir set at 10.40 NAVD which provides 0.46 ac-ft of retention volume. Discharges from this control structure are then routed to the on-site lake for continuation of stormwater treatment. A control structure within the lake has a proposed weir elevation of 11.00 NAVD which provides 1.32 ac-ft of detention treatment volume between the bleeder and the weir. The total treatment volume for the stormwater management system is 1.80 ac-ft.

3.10 Discharge Rates

The discharge rate for the project is controlled by the existing ERP which states that the maximum rate is 4.0 cfs. The proposed Sailfish Cay site accepts off site flows from the adjacent Towne Park Condominiums during the design storm event. The stormwater management system for Sailfish Cay does not propose to treat the accepting discharge from Towne Park Condominiums, however, attenuation will be provided. According to City of Stuart Code a pre vs post discharge rate analysis was completed on the 3-year/1-day, 5-year/1-day, 10-year/3-day and 25-year/3-day storm events. The following Table 6 provides the ICPR results of the discharge rates for the project. Please see Appendix C for further information on the ICPR inputs and results.

Table 6-Discharge Rates

Storm Event	Pre-Development	Post Development
3-year/1-day	2.69 cfs	1.22 cfs
5-year/1-day	3.28 cfs	1.38 cfs
10-year/3-day	5.41 cfs	1.98 cfs
25-year/3-day	6.05 cfs	3.62 cfs

3.11 Minimum Road and Parking

The minimum road and parking elevation for the site is dictated by the maximum elevation of the 10-year 1-day storm event result from the ICPR simulation. The following Table 7 outlines the minimum road and parking for the Sailfish Cay project.

Table 7-Minimum Road Elevation

ICPR Result	Proposed Minimum Road
12.45 NAVD	12.50 NAVD

3.12 Minimum Finished Floor

The minimum finished floor elevation for the site is dictated by the maximum elevation of the 100-year 3-day storm event stage (zero discharge) from the ICPR simulation. The adjacent Towne Park Condominiums have finished floor elevations that range from 13.65 NAVD to 13.97 NAVD. As such, the proposed minimum finished floor for the Sailfish Cay project will be consistent with existing adjacent finished floor elevations. The following Table 8 outlines the ICPR result for the 100-year 3-day storm event and the proposed minimum finished floor for the project. To prevent flooding upstream in the Towne Park North Condos, a flap gate is proposed in the drainage structure that accepts flows from the Towne Park North Condos.

Table 8-Minimum Finished Floor Elevation

Basin	ICPR Result	Minimum FFE
Sailfish Cay	13.75 NAVD	14.00 NAVD
Towne Park North Condos	13.55 NAVD	13.65 NAVD*

*13.65 NAVD represents the lowest existing FFE for the Towne Park North Condos

3.13 Perimeter Berm

The perimeter berm for the site is controlled by the maximum stage of the 25-year/3-day design storm event. The maximum stage of the design storm is 12.86 NAVD, therefore the perimeter berm will be set at a stage of 12.90 NAVD.

3.14 Control Structure

The site is proposed with two control structures to limit discharge and attenuate stormwater from the site. The exfiltration system has a proposed control structure for retention to meet water quality standards for net improvement. The proposed control structure for the exfiltration system consists of a modified FDOT C box with an internal weir set at an invert elevation of 10.40 NAVD. Discharges from this control structure are conveyed to the on-site lake for continuing treatment and attenuation. The control

structure in the lake is a modified FDOT C box with a raised bleeder and weir. The raised bleeder is set at an invert elevation of 10.00 NAVD to achieve the appropriate nitrogen and phosphorus loading reductions. The proposed weir is a 1-foot wide by 3-inch in height slot with an invert elevation of 11.00 NAVD. The weir is sized to limit the discharge from the project to under 4.0 cfs. An overflow weir (box rim) is proposed to provide relief to the stormwater management system during a major rain event. The rim of the box has an elevation of 12.70 NAVD.

3.15 City of Stuart 72-Hour Treatment Volume

According to City of Stuart code, a stormwater management system must recover the required treatment volume within 72 hours. The required water quality treatment volume for the project is 0.44 ac-ft (19,167 cubic feet). In order to demonstrate that the system is capable of recovering the required treatment volume in 72 hours, a retention pond recovery model was built with the PONDS software.

Based on the USDA web soil maps, an estimated vertical hydraulic conductivity (k_v) and horizontal hydraulic conductivity (k_h) value can be used in the PONDS model. The horizontal hydraulic conductivity (k_h) is estimated to be 35.92 ft/day and the vertical hydraulic conductivity (k_v) is estimated to be 14.54 ft/day. Since 40% of the proposed lake will have a bulkhead, a weighted horizontal hydraulic conductivity is used. Since the depth of the bulkhead is unknown a conservative approach assumes that the bulkhead will be installed at a depth that is equal to the base of the aquifer. As such, h_2 is equal to zero. The below equation calculates the horizontal hydraulic conductivity used in the PONDS model.

$$k_{avg} = \left(\frac{L_{unwalled}}{L_{Total}} \times k_h \right) + \left(\frac{L_{walled}}{L_{Total}} \times \frac{h_2}{h_1} \times k_h \right)$$

$$k_{avg} = \left(\frac{362}{604} \times 35.92 \right) + \left(\frac{242}{604} \times \frac{0}{11.5} \times 35.92 \right) = 21.53 \frac{ft}{day}$$

Since a pond is proposed, the vertical hydraulic conductivity is only applied to the lake banks. The lake banks have a maximum area for unsaturated infiltration of 7,789 sq ft. The results of the demonstration conclude that the proposed stormwater management system is capable of recovering the required treatment volume within 72 hours. At the 72-hour mark, the stage in the pond is at 9.29 NAVD; the water quality weir is set at an elevation of 11.00 NAVD. The volume of water that is available to be treated between elevations 9.29 NAVD and 11.00 NAVD is 1.03 ac-ft. This exceeds the required water quality treatment volume of 0.66 ac-ft using the Outstanding Florida Waterbody (OFW) criteria, which is 150% of the standard volume.

4.0 Conclusion

The Sailfish Cay project consists of a proposed multi-family residential community with associated site improvements. The site has an existing ERP, which once included the expansion of the Towne Park Condominiums, however, construction of the expansion into the Sailfish Cay project area never occurred. The existing ERP and drainage report help to identify the stormwater discharges that are accepted by the proposed stormwater management system for the Sailfish Cay project. The proposed stormwater management system is capable of accepting off site flows and treating on-site run-off according the local and SFWMD standards. Please see the associated appendices for supporting documentation.

Appendix A: Basin Maps and Basin Information

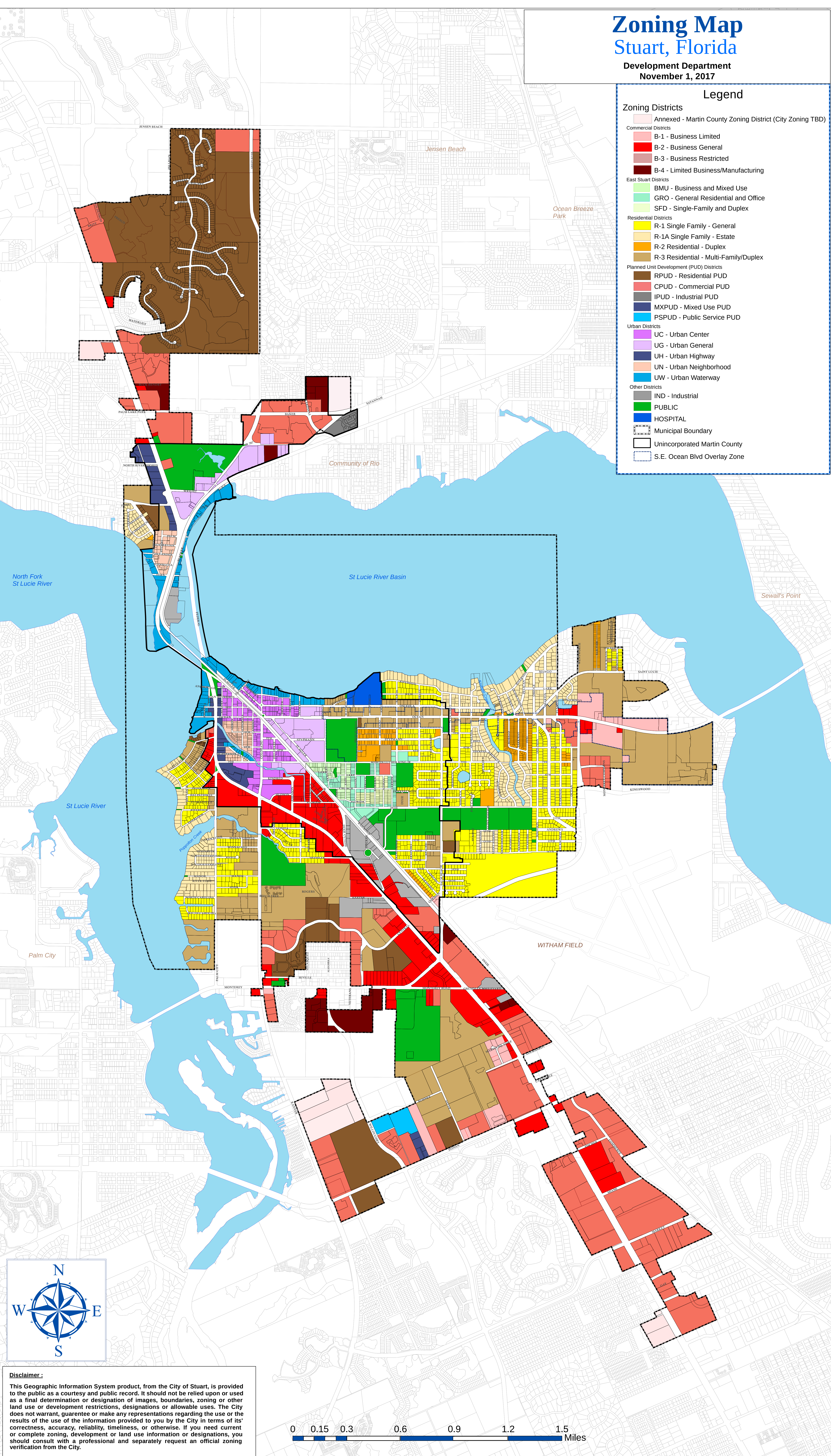
Zoning Map

Stuart, Florida

Development Department
November 1, 2017

Legend

- Zoning Districts**
- Annexed - Martin County Zoning District (City Zoning TBD)
- Commercial Districts**
- B-1 - Business Limited
 - B-2 - Business General
 - B-3 - Business Restricted
 - B-4 - Limited Business/Manufacturing
- East Stuart Districts**
- BMU - Business and Mixed Use
 - GRO - General Residential and Office
 - SFD - Single-Family and Duplex
- Residential Districts**
- R-1 Single Family - General
 - R-1A Single Family - Estate
 - R-2 Residential - Duplex
 - R-3 Residential - Multi-Family/Duplex
- Planned Unit Development (PUD) Districts**
- RPUD - Residential PUD
 - CPUD - Commercial PUD
 - IPUD - Industrial PUD
 - MXPUD - Mixed Use PUD
 - PSPUD - Public Service PUD
- Urban Districts**
- UC - Urban Center
 - UG - Urban General
 - UH - Urban Highway
 - UN - Urban Neighborhood
 - UW - Urban Waterway
- Other Districts**
- IND - Industrial
 - PUBLIC
 - HOSPITAL
- Map Symbols**
- Municipal Boundary
 - Unincorporated Martin County
 - S.E. Ocean Blvd Overlay Zone



Disclaimer :

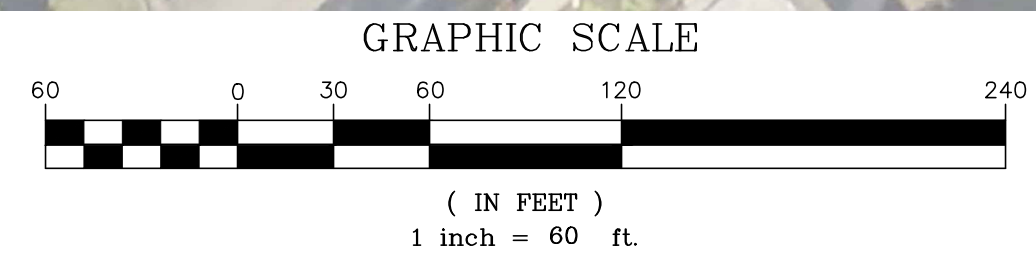
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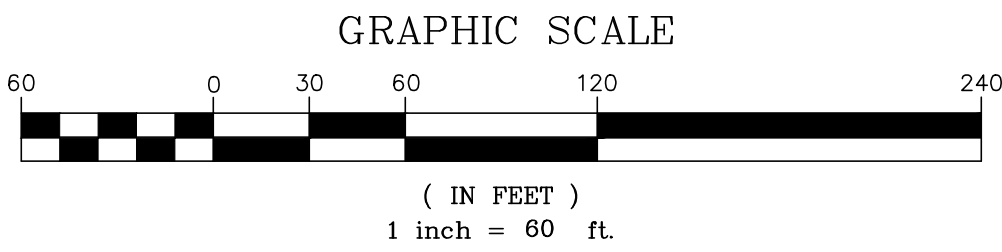
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21EJC-202101-33 - Johnson v. FSI SE Central Parkway MFSURVEY0mg - PDF SURVEY(21-33) BTT - rev1.dwg, 2/18/2022 2:40 PM
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FOR: CYPRESS HOLDINGS, LLC.

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TREE TABLE:

TAG#	TREE NAME	DIAMETER(IN)
1101	PALM	
1102	PALM	
1103	PALM	
1104	PALM	
1105	PALM	
1106	PALM	
1107	PALM	
1108	PALM	
1109	PINE	20
1110	PINE	16
1111	PINE	12
1112	PINE	12
1113	PINE	10
1114	PALM	
1115	PINE	12
1116	PINE	14
1117	PINE	14
1118	PALM	
1119	PINE	15
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1121	PINE	12
1122	PINE	12
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1125	PINE	14
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1210	PINE	13
1211	PINE	15
1212	PINE	16
1213	PALM	
1214	PINE	20
1215	PINE	7

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REVISION COMMENTS

Sailfish Cay ERP's

Beauty Bar
Ahn's Martial Arts Academy

Suburban Extended Stay Hotel Stuart Near...

AutoZone Auto Parts

Ex. Pipe and MES

Tijuana Flats

Jupiter Donuts

Sonny's BBQ

App# 900626-8
CE: 13.0 NGVD
FFE: 17.60

App# 941026-6
CE: 12.5 NGVD
FFE: 16.35

Fujiyama

Supreme Meats

Goodwill Stuart Store & Donation Center

CareerSource Research Coast

Solaris Senior Living Stuart

Morning Glory Cafe

Chase Bank

CS to 25' Drainage
Easement

Solaris HealthCare Parkway

Big Lots

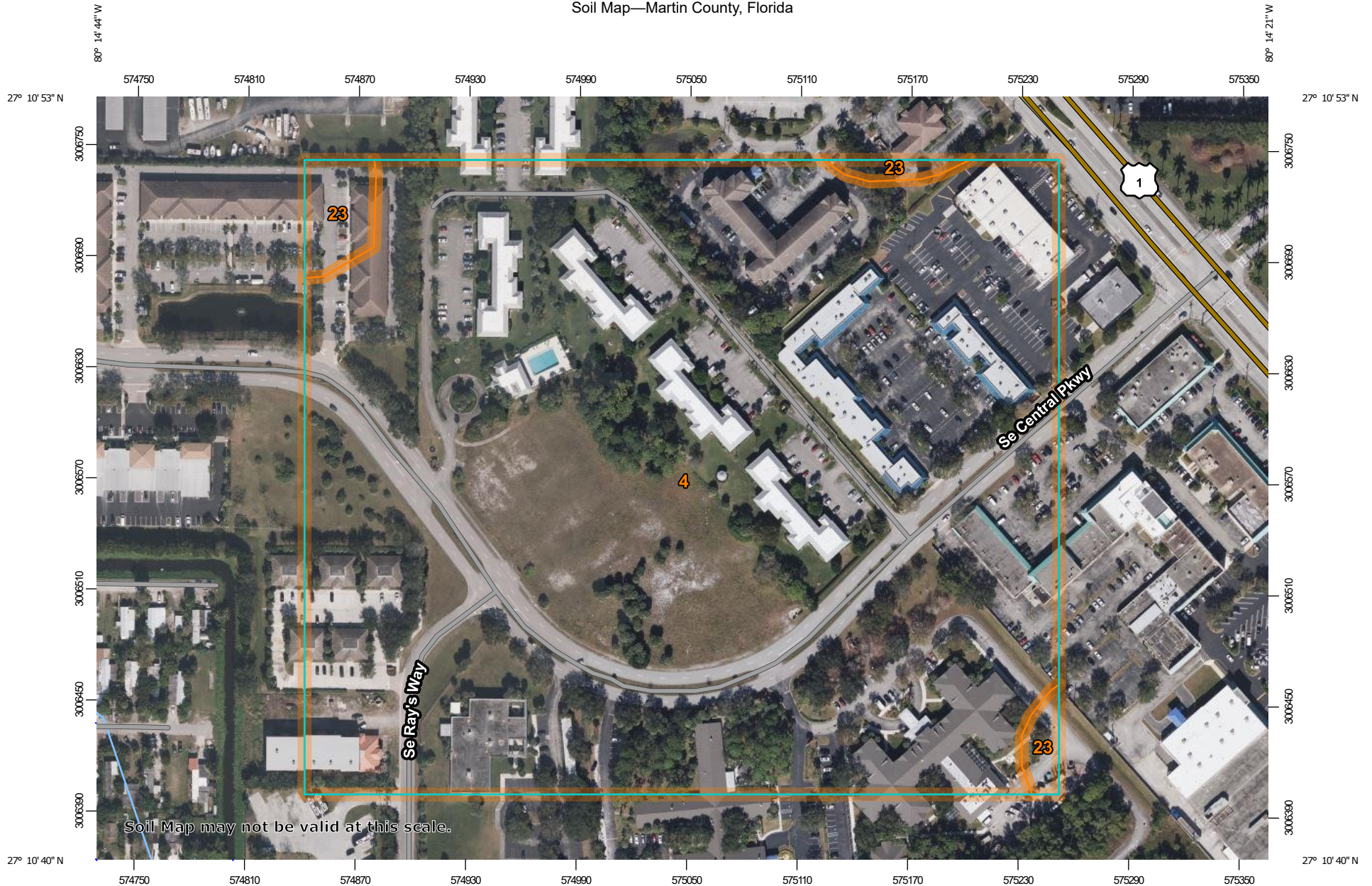
Google Earth

Monterey Glass Specialists

800 ft

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Soil Map—Martin County, Florida



Soil Map may not be valid at this scale.

Map Scale: 1:2,910 if printed on A landscape (11" x 8.5") sheet.



Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 17N WGS84



**Natural Resources
Conservation Service**

Web Soil Survey
National Cooperative Soil Survey

MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features



Blowout



Borrow Pit



Clay Spot



Closed Depression



Gravel Pit



Gravelly Spot



Landfill



Lava Flow



Marsh or swamp



Mine or Quarry



Miscellaneous Water



Perennial Water



Rock Outcrop



Saline Spot



Sandy Spot



Severely Eroded Spot



Sinkhole



Slide or Slip



Sodic Spot



Spoil Area



Stony Spot



Very Stony Spot



Wet Spot



Other



Special Line Features

Water Features



Streams and Canals

Transportation



Rails



Interstate Highways



US Routes



Major Roads



Local Roads

Background



Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service

Web Soil Survey URL:

Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida

Survey Area Data: Version 20, Aug 25, 2021

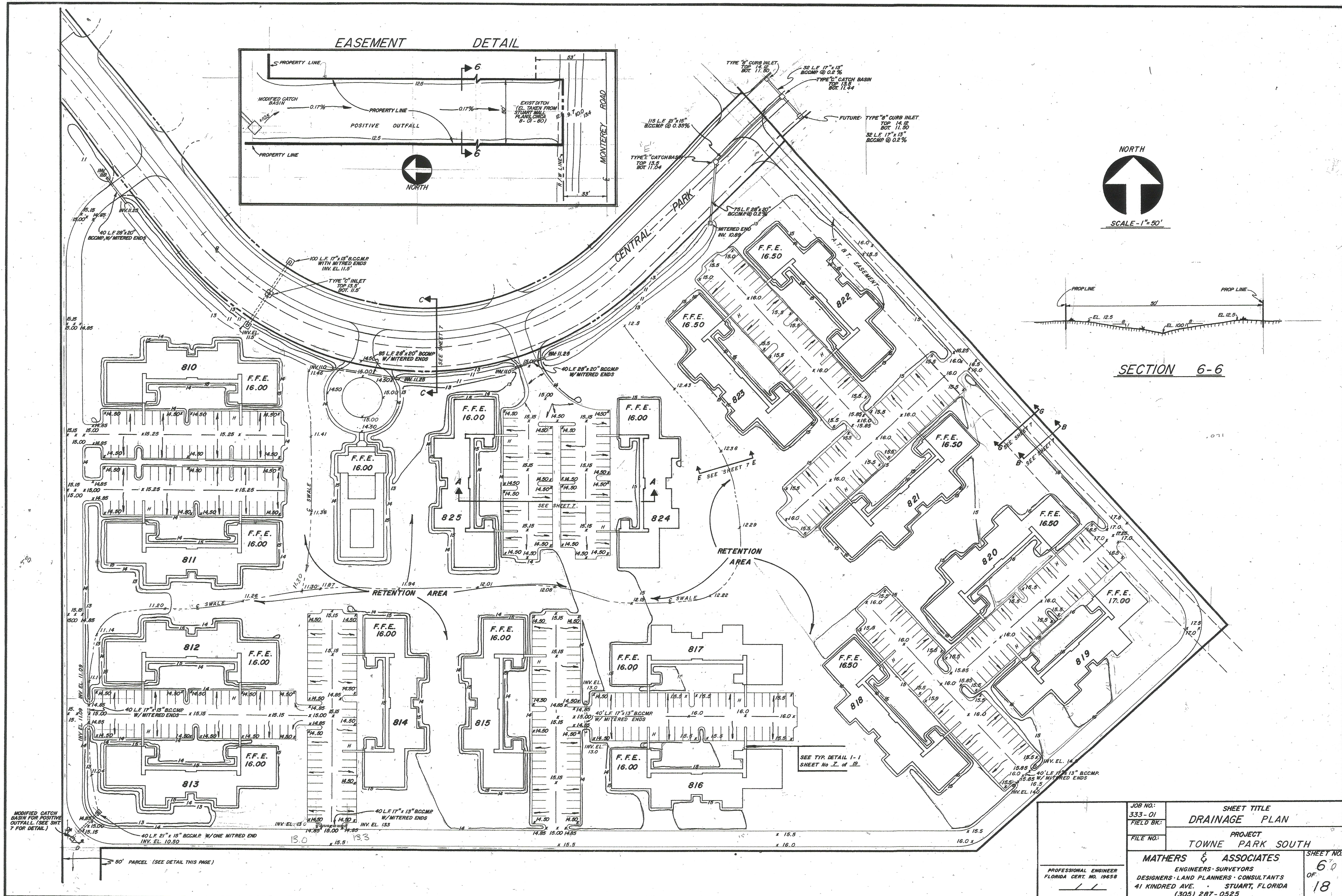
Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

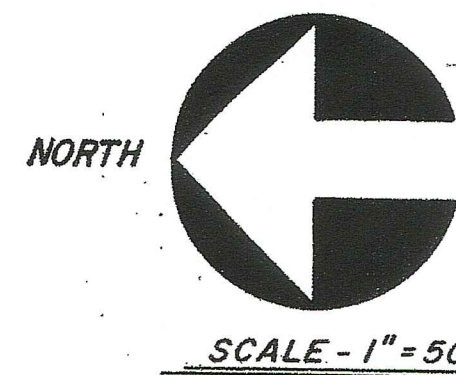
Date(s) aerial images were photographed: Jan 21, 2021—Feb 4, 2021

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

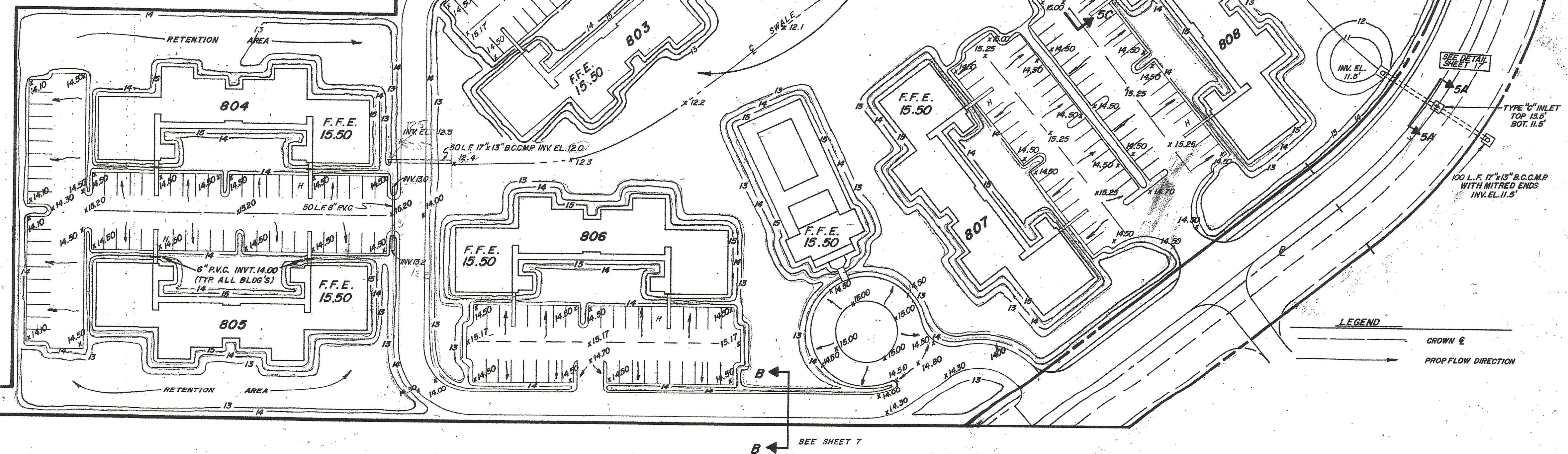
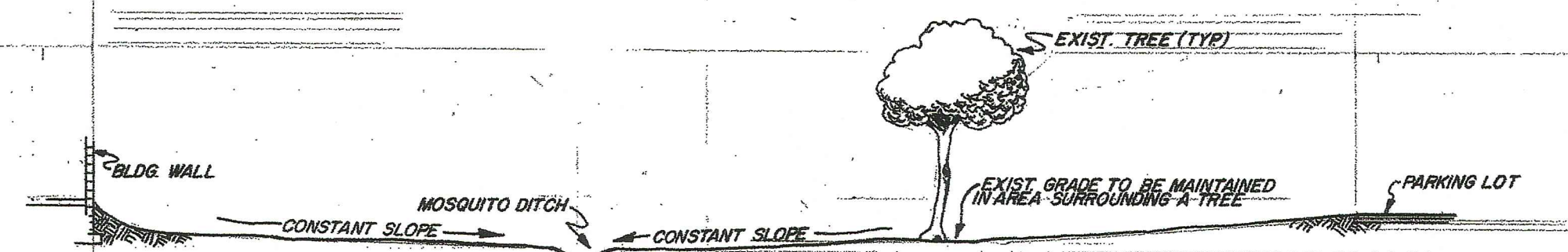
Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Waveland and Immokalee fine sands	33.9	97.3%
23	Urban land, 0 to 2 percent slopes	0.9	2.7%
Totals for Area of Interest		34.8	100.0%





SECTION 5C-5C

NOTE:
TYPICAL SECTION FOR MOSQUITO DITCH
AND SURROUNDING RETENTION AREA.



REVISONS		
BY	DATE	DESCRIPTION
M.M.	7/27/81	ADD - SWALE
DRAWN BY: R.F.P. JR./WANG		CHECK BY: W. J. M.
DATE: 4-28-81		SCALE: 1" = 50'

PROFESSIONAL ENGINEER
FLORIDA CERT. NO. 19658

JOB NO: 333 - 01	SHEET TITLE DRAINAGE PLAN
FIELD BK:	
FILE NO:	PROJECT TOWNE PARK NORTH
MATHERS & ASSOCIATES ENGINEERS - SURVEYORS DESIGNERS - LAND PLANNERS - CONSULTANTS 41 KINDRED AVE. • STUART, FLORIDA (305) 287-0525	



FLOOD HAZARD INFORMATION

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT
THE INFORMATION DEPICTED ON THIS MAP AND SUPPORTING DOCUMENTATION ARE ALSO AVAILABLE IN DIGITAL FORMAT AT [HTTPS://MSC.FEMA.GOV](https://MSC.FEMA.GOV)

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
OTHER AREAS OF FLOOD HAZARD		Regulatory Floodway
		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee See Notes. Zone X
OTHER AREAS		Area with Flood Risk due to Levee Zone D
		Area of Minimal Flood Hazard Zone X
GENERAL STRUCTURES		Area of Undetermined Flood Hazard Zone D
		Channel, Culvert, or Storm Sewer
OTHER FEATURES		Levee, Dike, or Floodwall
		Cross Sections with 1% Annual Chance Water Surface Elevation
OTHER FEATURES		Coastal Transect
		Coastal Transect Baseline
OTHER FEATURES		Profile Baseline
		Hydrographic Feature
OTHER FEATURES		Base Flood Elevation Line (BFE)
		Limit of Study
OTHER FEATURES		Jurisdiction Boundary

NOTES TO USERS

For information and questions about this Flood Insurance Rate Map (FIRM), available products associated with this FIRM, including historic versions, the current map date for each FIRM panel, how to order products, or the National Flood Insurance Program (NFIP) in general, please call the FEMA Map Information eXchange at 1-877-FEMA-MAP (1-877-338-2627) or visit the FEMA Flood Map Service Center website at <https://msc.fema.gov>. Available products may include previously issued Letters of Map Change, a Flood Insurance Study Report, and/or digital versions of this map. Many of these products can be ordered or obtained directly from the website.

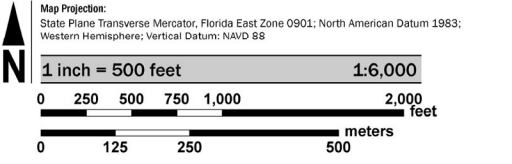
Communities annexing land on adjacent FIRM panels must obtain a current copy of the adjacent panel as well as the current FIRM Index. These may be ordered directly from the Flood Map Service Center at the number listed above.

For community and countywide map dates refer to the Flood Insurance Study Report for this jurisdiction.

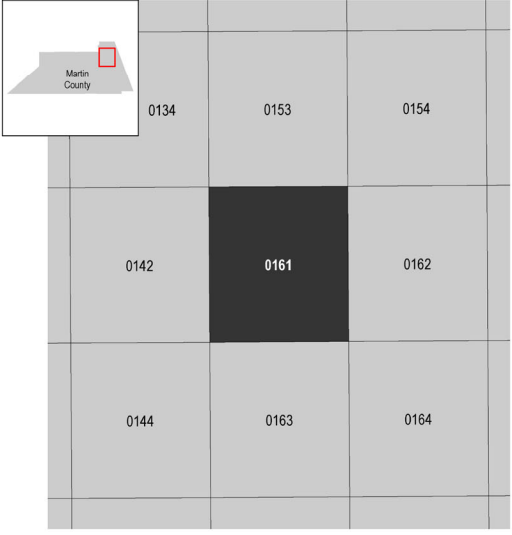
To determine if flood insurance is available in this community, contact your insurance agent or call the National Flood Insurance Program at 1-800-638-6620.

Base map information shown on this FIRM was provided in digital format by the Martin County Information Technology Services Department, dated 2003, 2012 and 2015; the Florida Department of Transportation, dated 2014, 2015 and 2016; the U.S. Geological Survey, dated 2006; and the U.S. Department of Agriculture, dated 2016.

SCALE



PANEL LOCATOR



National Flood Insurance Program

NATIONAL FLOOD INSURANCE PROGRAM
FLOOD INSURANCE RATE MAP
MARTIN COUNTY, FLORIDA
and Incorporated Areas
PANEL 161 OF 527

Panel Contains:

COMMUNITY	NUMBER	PANEL	SUFFIX
MARTIN COUNTY	120161	0161	H
STUART, CITY OF	120165	0161	H

VERSION NUMBER
2.3.3.2
MAP NUMBER
12085C0161H
MAP REVISED
FEBRUARY 19, 2020

Appendix B: Drainage Calculations

GENERAL SITE INFORMATION: V 8.6		GO TO INTRODUCTION PAGE	2/18/2022	Blue Numbers = Red Numbers =	Input data Calculated or Carryover
Select the appropriate Meteorological Zone, input the appropriate Mean Annual Rainfall amount and select the type of analysis		NAME OF PROJECT Sailfish Cay		HELP Rainfall	
Meteorological Zone (Please use zone map): Mean Annual Rainfall (Please use rainfall map): Type of analysis: Treatment efficiency (N, P) (ex 80 70 (no decimal points) use only for specified removal efficiency):		CLICK ON CELL BELOW TO SELECT Zone 2 55.00 Inches CLICK ON CELL BELOW TO SELECT Net improvement %		VIEW ZONE MAP VIEW MEAN ANNUAL RAINFALL MAP GO TO WATERSHED CHARACTERISTICS	
Select the STORMWATER TREATMENT ANALYSIS Button below to begin analyzing the effectiveness of Best Management Practices.		Model documentation and example problems.			
STORMWATER TREATMENT ANALYSIS Systems available for analysis: - Retention Basin with option for calculating effluent concentration - Wet Detention - Exfiltration Trench - Pervious Pavement - Stormwater Harvesting - Biofiltration - Greenroof - Rainwater Harvesting - Managed Aquatic Plants Detention - Vegetated Natural Buffer - Vegetated Filter Strip - Swale - Rain Garden - Tree Well - Lined reuse pond - User Defined BMP		There is a user's manual for the BMPTRAINS model. It can be downloaded from www.stormwater.ucf.edu. The results from the example problems shown in the manual however may not reflect current model results due to ongoing updates of the model.			
		METHODOLOGY FOR CALCULATING REQUIRED TREATMENT EFFICIENCY			
		METHODOLOGY FOR RETENTION SYSTEMS		METHODOLOGY FOR WET DETENTION SYSTEMS	
		METHODOLOGY FOR GREENROOF SYSTEMS		METHODOLOGY FOR WATER HARVESTING SYSTEMS	
RESET INPUT FOR STORMWATER TREATMENT ANALYSIS					

WATERSHED CHARACTERISTICS V 8.6		GO TO STORMWATER TREATMENT ANALYSIS		Blue Numbers =	Input data	LAND USES/EMC																		
SELECT CATCHMENT CONFIGURATION 2/18/2022		CLICK ON CELL BELOW TO SELECT CONFIGURATION		Red Numbers =	Calculated																			
For comingling, the off-site catchment must be upstream. The delay is only for retention BMPs and must be used in hours as measured by the time of concentration at a one inch/hour rain Delay [hrs] CATCHMENT NO.1 NAME: SailFish Cay <u>max delay = 15 hrs.</u> Pre-development land use: Undeveloped - Ruderal/Upland Pine: TN=1.694 TP=0.162 with default EMCs Post-development land use: Multi-Family: TN=2.320 TP=0.520 with default EMCs Total pre-development catchment area: 4.880 AC Total post-development catchment or for BMP analysis: 4.880 AC Pre-development Non DCIA CN: 80.00 Pre-development DCIA percentage: 0.90 % Post-development Non DCIA CN: 92.00 Post-development DCIA percentage: 58.80 % Estimated BMP Area (No loading from this area) 0.500 AC		D - 3 Catchment-Series COMINGLING MULTI-LAND USE VIEW AVERAGE ANNUAL RUNOFF "C" Factor VIEW EMC & FLUCCS GO TO GIS LANDUSE DATA		VIEW CATCHMENT CONFIGURATION GO TO GENERAL SITE INFORMATION PAGE OVERWRITE DEFAULT CONCENTRATIONS USING: PRE: mg/L POST: mg/L EMC(N): mg/L EMC(P): mg/L USE DEFAULT CONCENTRATIONS <table border="1"> <tr><td>Average annual pre runoff volume:</td><td> 2.624 </td><td>ac-ft/year</td></tr> <tr><td>Average annual post runoff volume (note no BMP area):</td><td> 12.086 </td><td>ac-ft/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Nitrogen:</td><td> 5.481 </td><td>kg/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Phosphorus:</td><td> 0.524 </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Nitrogen:</td><td> 34.580 </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Phosphorus:</td><td> 7.751 </td><td>kg/year</td></tr> </table>			Average annual pre runoff volume:	2.624	ac-ft/year	Average annual post runoff volume (note no BMP area):	12.086	ac-ft/year	Pre-development Annual Mass Loading - Nitrogen:	5.481	kg/year	Pre-development Annual Mass Loading - Phosphorus:	0.524	kg/year	Post-development Annual Mass Loading - Nitrogen:	34.580	kg/year	Post-development Annual Mass Loading - Phosphorus:	7.751	kg/year
Average annual pre runoff volume:	2.624	ac-ft/year																						
Average annual post runoff volume (note no BMP area):	12.086	ac-ft/year																						
Pre-development Annual Mass Loading - Nitrogen:	5.481	kg/year																						
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Post-development Annual Mass Loading - Nitrogen:	34.580	kg/year																						
Post-development Annual Mass Loading - Phosphorus:	7.751	kg/year																						
CATCHMENT NO.2 NAME: Pre-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Post-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Total pre-development catchment area: AC Total post-development catchment or BMP analysis area: AC Pre-development Non DCIA CN: Pre-development DCIA percentage: % Post-development Non DCIA CN: Post-development DCIA percentage: % Estimated BMP Area (No loading from this area) AC				OVERWRITE DEFAULT CONCENTRATIONS: PRE: mg/L POST: mg/L EMC(N): mg/L EMC(P): mg/L USE DEFAULT CONCENTRATIONS <table border="1"> <tr><td>Average annual pre runoff volume:</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Average annual post runoff volume (note no BMP area):</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> </table>			Average annual pre runoff volume:		ac-ft/year	Average annual post runoff volume (note no BMP area):		ac-ft/year	Pre-development Annual Mass Loading - Nitrogen:		kg/year	Pre-development Annual Mass Loading - Phosphorus:		kg/year	Post-development Annual Mass Loading - Nitrogen:		kg/year	Post-development Annual Mass Loading - Phosphorus:		kg/year
Average annual pre runoff volume:		ac-ft/year																						
Average annual post runoff volume (note no BMP area):		ac-ft/year																						
Pre-development Annual Mass Loading - Nitrogen:		kg/year																						
Pre-development Annual Mass Loading - Phosphorus:		kg/year																						
Post-development Annual Mass Loading - Nitrogen:		kg/year																						
Post-development Annual Mass Loading - Phosphorus:		kg/year																						
CATCHMENT NO.3 NAME: Pre-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Post-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Total pre-development catchment area: AC Total post-development catchment or BMP analysis area: AC Pre-development Non DCIA CN: Pre-development DCIA percentage: % Post-development Non DCIA CN: Post-development DCIA percentage: % Estimated BMP Area (no loading from this area) AC				OVERWRITE DEFAULT CONCENTRATIONS: PRE: mg/L POST: mg/L EMC(N): mg/L EMC(P): mg/L USE DEFAULT CONCENTRATIONS <table border="1"> <tr><td>Average annual pre runoff volume:</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Average annual post runoff volume (note no BMP area):</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> </table>			Average annual pre runoff volume:		ac-ft/year	Average annual post runoff volume (note no BMP area):		ac-ft/year	Pre-development Annual Mass Loading - Nitrogen:		kg/year	Pre-development Annual Mass Loading - Phosphorus:		kg/year	Post-development Annual Mass Loading - Nitrogen:		kg/year	Post-development Annual Mass Loading - Phosphorus:		kg/year
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Pre-development Annual Mass Loading - Nitrogen:		kg/year																						
Pre-development Annual Mass Loading - Phosphorus:		kg/year																						
Post-development Annual Mass Loading - Nitrogen:		kg/year																						
Post-development Annual Mass Loading - Phosphorus:		kg/year																						
CATCHMENT NO.4 NAME: Pre-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Post-development land use: CLICK ON CELL BELOW TO SELECT with default EMCs Total pre-development catchment area: AC Total post-development catchment or BMP analysis area: AC Pre-development Non DCIA CN: Pre-development DCIA percentage: % Post-development Non DCIA CN: Post-development DCIA percentage: % Estimated BMP Area (no loading from this area) AC				OVERWRITE DEFAULT CONCENTRATIONS: PRE: mg/L POST: mg/L EMC(N): mg/L EMC(P): mg/L USE DEFAULT CONCENTRATIONS <table border="1"> <tr><td>Average annual pre runoff volume:</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Average annual post runoff volume (note no BMP area):</td><td> </td><td>ac-ft/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Pre-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Nitrogen:</td><td> </td><td>kg/year</td></tr> <tr><td>Post-development Annual Mass Loading - Phosphorus:</td><td> </td><td>kg/year</td></tr> </table>			Average annual pre runoff volume:		ac-ft/year	Average annual post runoff volume (note no BMP area):		ac-ft/year	Pre-development Annual Mass Loading - Nitrogen:		kg/year	Pre-development Annual Mass Loading - Phosphorus:		kg/year	Post-development Annual Mass Loading - Nitrogen:		kg/year	Post-development Annual Mass Loading - Phosphorus:		kg/year
Average annual pre runoff volume:		ac-ft/year																						
Average annual post runoff volume (note no BMP area):		ac-ft/year																						
Pre-development Annual Mass Loading - Nitrogen:		kg/year																						
Pre-development Annual Mass Loading - Phosphorus:		kg/year																						
Post-development Annual Mass Loading - Nitrogen:		kg/year																						
Post-development Annual Mass Loading - Phosphorus:		kg/year																						

STORMWATER TREATMENT ANALYSIS:		V 8.6	GO TO GENERAL SITE INFORMATION PAGE		Blue Numbers =	Input data
					Red Numbers =	Calculated
If not done, specify pre- and post-development watershed characteristics.			2/18/2022			
GO TO WATERSHED CHARACTERISTICS						
Total Required Treatment Efficiency: Required Treatment Eff (Nitrogen): 84% Required Treatment Eff (Phosphorus): 93%			1 2 3			
Select one of the BMPs below to analyze efficiency or review the summary data.						
RETENTION BASIN	WET DETENTION / MAP	EXFILTRATION TRENCH	RAIN GARDEN / depression storage	SWALE	USER DEFINED BMP	
PERVIOUS PAVEMENT	STORMWATER HARVESTING	FILTRATION	View Media Mixes	NOTE !!!: All individual system must be sized prior to being analyzed in conjunction with other systems. Please read instructions in the CATCHMENT AND TREATMENT SUMMARY RESULTS tab for more information.		
GREENROOF	RAINWATER HARVESTING	LINED REUSE POND & UNDERDRAIN INPUT	GO TO COST ANALYSIS WORKSHEET			
VEGETATED NATURAL BUFFER	VEGETATED FILTER STRIP	TREE WELL	CATCHMENT AND TREATMENT SURFACE			

WET DETENTION / MANAGED AQUATIC PLANTS:		2/18/2022 V 8.6		Blue Numbers = Red Numbers =		Input data Calculated or Carryover	
Also called: FLOATING ISLANDS and includes a wet detention pond:		Sailfish Cay		GO TO STORMWATER TREATMENT ANALYSIS			
Total pre-development catchment area:		SailFish Cay		Catchment 2	Catchment 3	Catchment 4	
Total post-development catchment area:		4.880		0.000	0.000	0.000	ac
Average annual residence time (between 1 and 500 days)		4.380		0.000	0.000	0.000	ac
Littoral Zone or other improvements used?*		500.00					days
Littoral Zone or other improvement efficiency credit:		YES		NO	NO		%
Floating Wetland or Mats used in the design:		0.10		0.00	0.00		%
Floating Wetland or Mats credit:		NO		NO	NO		%
Total Nitrogen removal required:		0.00		0.00	0.00		%
Total Phosphorus removal required:		84.150					%
Total Nitrogen removal efficiency:		93.237					%
Total Phosphorous removal efficiency:		43.427		0.000	0.000	0.000	%
Is the wet detention sufficient:		87.968		0.000	0.000	0.000	%
Average annual runoff volume:		NO					
* pond coverage must follow Regulatory Requirements		12.086					ac-ft/yr
Wet Detention Pond Characteristic:		16.556					ac-ft
Minimum Pond Permanent Pool Volume:							
		NOTE FOR TREATMENT EFFICIENCY GRAPH: The purpose of the treatment efficiency graphs is to help illustrate the treatment efficiency of the wet detention system as the function of average annual residence time (and permanent pool volume). The graph illustrates that there is a point of diminished return as the permanent pool volume is substantially increased. Therefore, to provide the most economical BMP treatment system, other alternatives such as "treatment trains" and compensatory treatment should be considered.					

RETENTION BASIN:

2/18/2022

V 8.6

Blue Numbers =

Input data

Red Numbers =

Calculated or Carryover

RETENTION BASIN SERVING:

Sailfish Cay

GO TO STORMWATER TREATMENT ANALYSIS

Loadings from BMP area are contained by the BMP, thus no BMP area load.

Watershed area cotributing to basin:

Required Treatment Eff (Nitrogen):

Required Treatment Eff (Phosphorus):

Required retention depth over the watershed to meet required efficiency:

Required water quality retention volume:

SailFish Cay	Catchment 2	Catchment 3	Catchment 4	
4.380	0.000	0.000	0.000	ac
84.150				%
93.237				%
2.440	0.000	0.000	0.000	in
0.890	0.000	0.000	0.000	ac-ft

RETENTION BASIN FOR MULTIPLE TREATMENT SYSTEMS (if there is a need for additional removal efficiencies in a series of BMPs):

Retention volume based on retention depth and Total area - BMP area

Provided retention depth (0.1-3.99 inches over the watershed)

Provided treatment efficiency (Nitrogen):

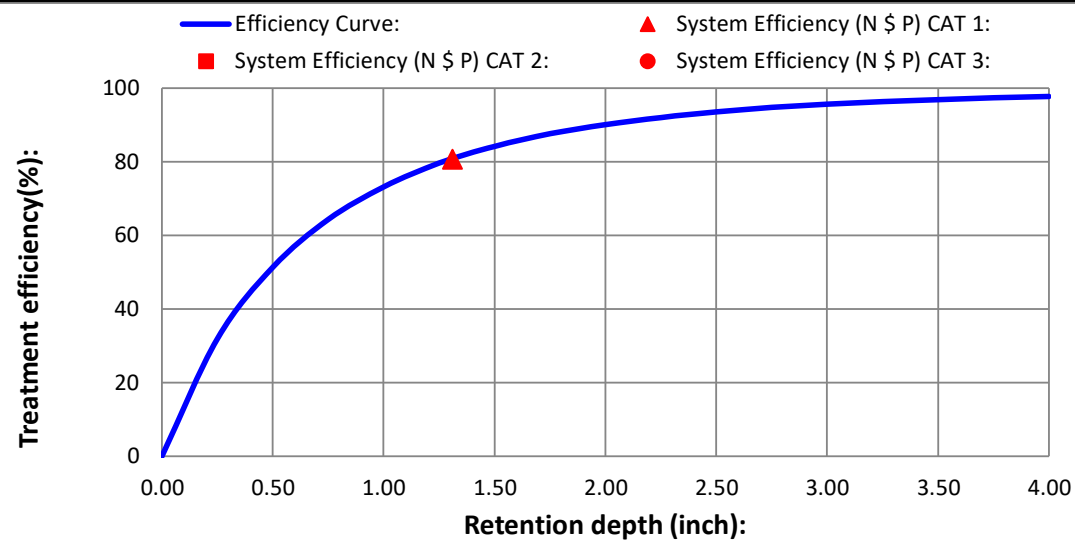
Provided treatment efficiency (Phosphorus):

Remaining treatment efficiency (Nitrogen):

Remaining treatment efficiency (Phosphorus):

Remaining retention depth needed:

0.478	0.000	0.000	0.000	ac-ft
1.310				in
80.797	0.000	0.000	0.000	%
80.797	0.000	0.000	0.000	%
17.460				%
64.783				%
1.130	0.000	0.000	0.000	in



NOTE FOR TREATMENT EFFICIENCY GRAPH:

The purpose of this graph is to help illustrate the treatment efficiency of the retention system as the function of retention depth **for a single BMP and in a single catchment**. The graph illustrates that there is a diminished return as the retention depth is increased. Thus evaluations of other alternatives in "treatment trains" and compensatory treatment should be considered. **NOTE:** the retention volume can not exceed 3.99 inches to be within the range of data used to determine effectiveness.

HELP - EXAMPLE PROBLEM 3

View Media Mixes

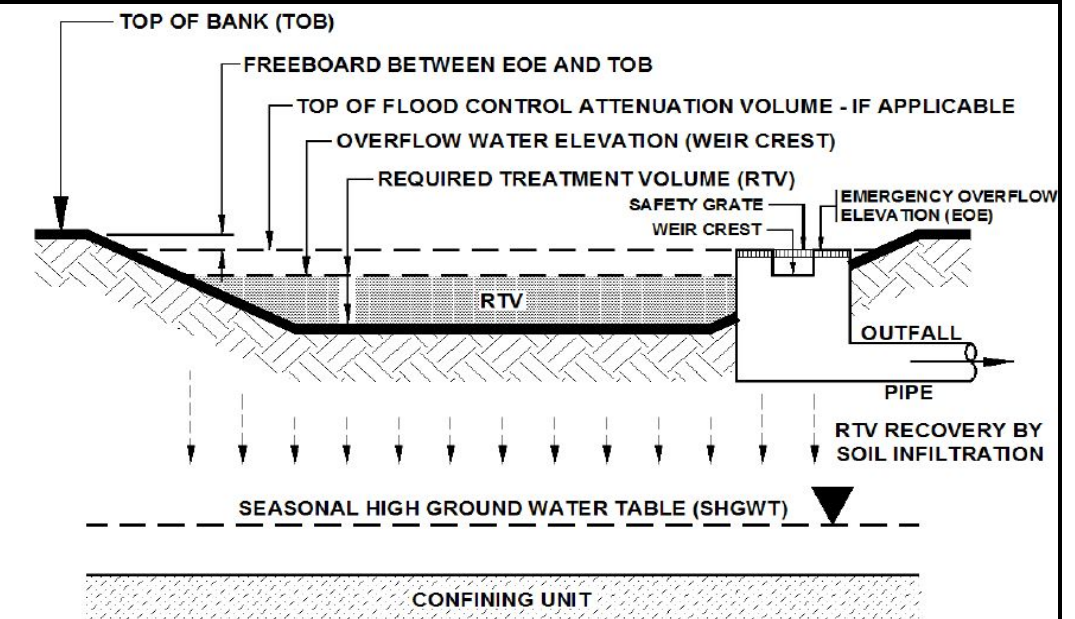
Estimate of groundwater impacts

Use only down flow media mix before water enters the ground, specify type

Nitrogen mass reduction in groundwater discharge (%)

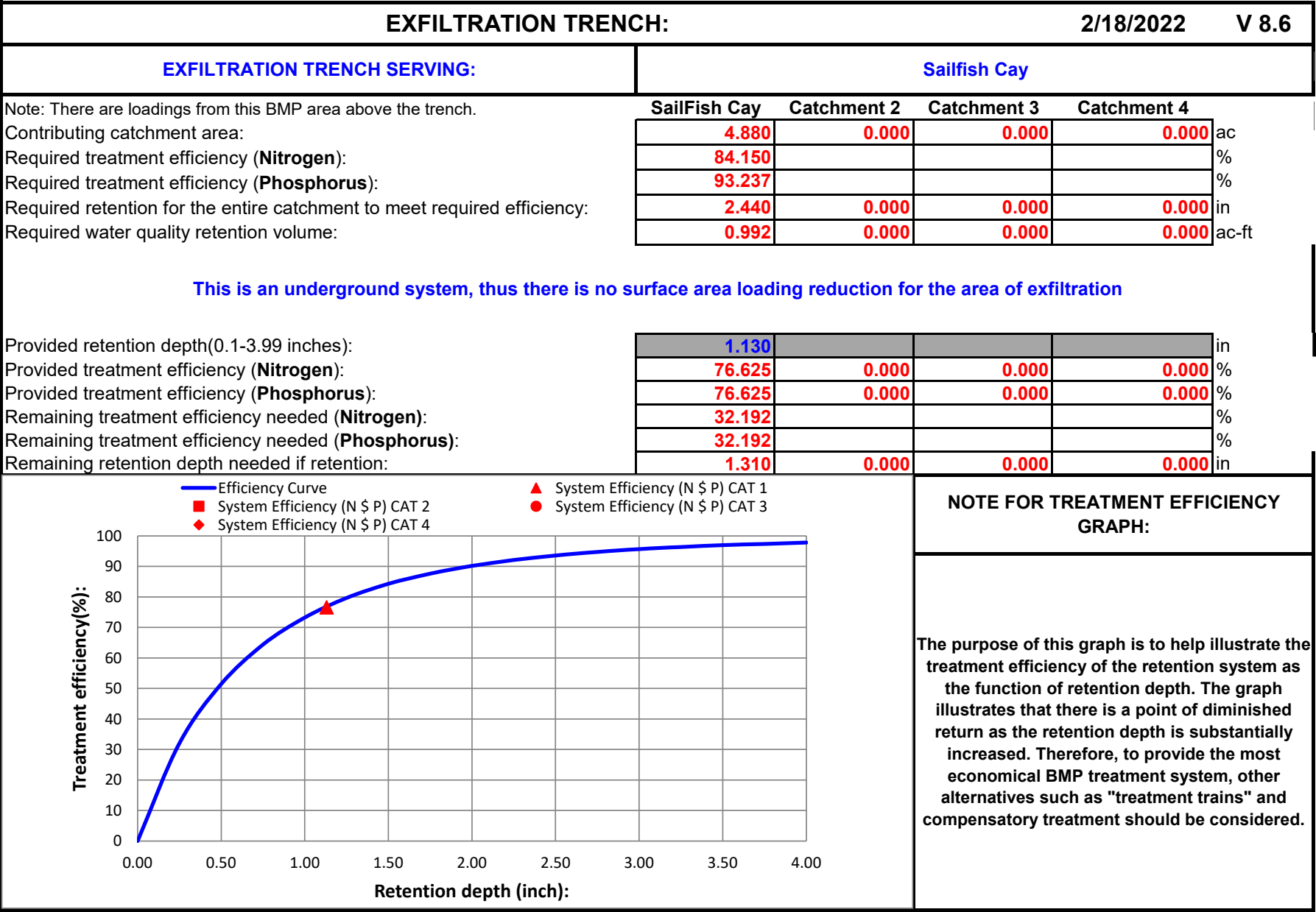
Phosphorus mass reduction in groundwater discharge (%)

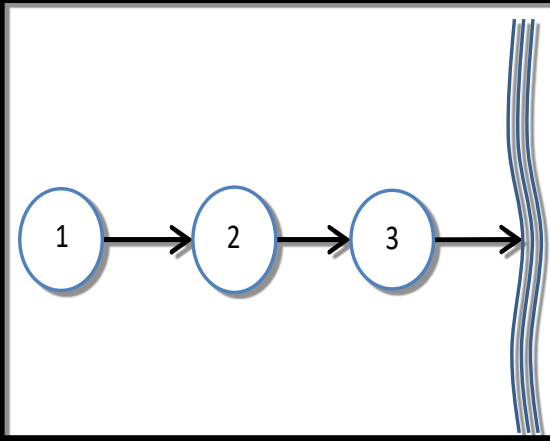
Catchment 1	Catchment 2	Catchment 3	Catchment 4



TYPICAL CROSS SECTION OF A "DRY" RETENTION SYSTEM

Source of Graphic: draft **STORMWATER QUALITY APPLICANT'S HANDBOOK** dated March 2010, by the Department of Environmental Protection, available at:
<http://www.dep.state.fl.us/water/wetlands/erp/rules/stormwater>, March 2010.



CATCHMENTS AND TREATMENT SURFACE DISCHARGE SUMMARY				V 8.6
CALCULATION METHODS: 1. The effectiveness of each BMP in a single catchment is converted to an equivalent capture volume. 2. Certain BMP treatment train combinations have not been evaluated and in practice they are at this time not used, an example is a greenroof following a tree well. 3. Wet detention is last when used in a single catchment with other BMPs, except when followed by filtration				
PROJECT TITLE	Sailfish Cay	Optional Identification	Stormwater Management System	
	SailFish Cay	Catchment 2	Catchment 3	Catchment 4
BMP Name	Retention Basin			
BMP Name	Exfiltration Trench			
BMP Name	Wet Detention/ MAPs			
Surface Water Discharge Summary Performance of Entire Watershed				
Catchment Configuration	D - 3 Catchment-Series	Treatment Objectives or Target for TN MET TP MET	2/18/2022	
Nitrogen Pre Load (kg/yr)	5.48		BMPTRAINS MODEL	
Phosphorus Pre Load (kg/yr)	0.52			
Nitrogen Post Load (kg/yr)	34.58			
Phosphorus Post Load (kg/yr)	7.75			
Target Load Reduction (N) %	84			
Target Load Reduction (P) %	93			
Target Discharge Load, N (kg/yr)	5.53			
Target Discharge Load, P (kg/yr)	0.54			
Provided Overall Efficiency, N (%):	95			
Provided Overall Efficiency, P (%):	98			
Discharged Load, N (kg/yr & lb/yr):	1.84			
Discharged Load, P (kg/yr & lb/yr):	0.17			
Load Removed, N (kg/yr & lb/yr):	32.74			
Load Removed, P (kg/yr & lb/yr):	7.58			

EXFILTRATION TRENCH DESIGN

Methodology per SFWMD ERP Permit Information Manual, March 2014

Volumetric Parameters

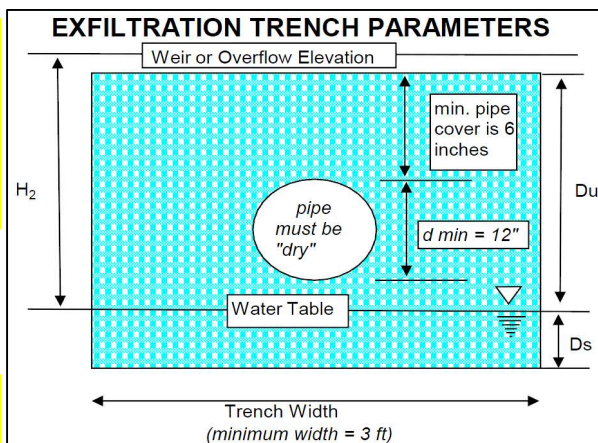
Water quality volume, V_{wq} (Ac-ft)	0.660	*WQ governed by 2.5" x % Impervious
Water quality volume, V_{wq} (Ac-in)	7.92	
Additional Volume, V_{add} (Ac-ft)	0.000	* Additional retention storage volume as required to meet water quality standards
Additional Volume, V_{add} (Ac-in)	0.00	
Total exfiltration volume, V (Ac-ft)	0.66	
Total exfiltration volume, V (Ac-in)	7.92	

Basin Hydrology & Soil Parameters

Hydraulic conductivity, K (cfs/ft ² -ft head)	5.70E-04	* From geotechnical report
Basin area, A (Ac)	4.88	
Basin soil storage, S (in)	0.54	* Input S value from basin calcs sheet
Basin curve number, CN	95	
Design rainfall, P (in)	11.00	* Input design storm rainfall
Exfiltration storage depth, d_{exf} (in)	1.62	$= V / A$
Exfiltration rainfall depth, P_{exf} (in)	9.38	$= P - d_{exf}$
Exfiltration soil storage, S_{exf} (in)	2.16	$= S + d_{exf}$
Exfiltration curve number, CN_{exf}	82	* Adjusted CN for ICPR Routing Model

Exfiltration Trench Parameters

Trench top elevation, EL_{top} (ft-datum)	10.50
Bubble Up-Dry Detention, EL_{inv} (ft-datum) (Weir)	10.40
Trench bottom elevation, El_{bot} (ft-datum)	6.00
Trench width, W (ft)	7.00
Wet Season High Water Table (ft-datum)(CE)	8.50
Head on saturated surface, H_2 (ft)	1.90
Unsaturated trench depth, D_u (ft)	2.00
Saturated trench depth, D_s (ft)	2.50
Perforated pipe invert, (ft-datum)	8.50
Perforated pipe diameter, (in)	24



Governing Equations

If $D_s < D_u$, and $W < 2*(D_s + D_u)$	No Yes	$L = \frac{V}{k \times (H_2 * W + 2 * H_2 * D_u - D_u^2 + 2 * H_2 * D_s) + (1.39 \times 10^{-4} * W * D_u)}$
If $D_s > D_u$, or $W > 2*(D_s + D_u)$	Yes No	$L = \frac{V}{k \times (2 * H_2 * D_u - D_u^2 + 2 * H_2 * D_s) + (1.39 \times 10^{-4} * W * D_u)}$

Calculations and Results

Calculated trench length required, L (ft)	841.4
Proposed trench length, L (ft)	590.0
Volume treated, V (Ac-ft)	0.46
Volume remaining to be treated (Ac-ft)	0.20
Proposed storage depth, d (in)	1.14

CN Calculations for Towne Park North Condos

Project: **Sailfish Cay**
Project #: **21-353**

Engineer: **MDL**
Date: **3/22/2022**
Revised:

Land Use Table

Use	Imp. (ac)	Pervious (ac)	Total (ac)
Building =	1.405	0.000	1.405
Impervious =	2.570	0.000	2.570
Dry Retention Area =	0.000	0.000	0.000
Wetland Area =	0.000	0.000	0.000
Developed Compacted Open Space =	0.000	4.614	4.614
Undeveloped or Preserve Land =	0.000	0.000	0.000
TOTAL =	3.975	4.614	8.589

Stage-Area Table

:see stage-storage chart for information.

Find Curve Number:

Avg. Pervious Ground El. = **11.50**
Control Elevation = **8.50**
Distance to Water Table = **3.00**

Soil Storage Table

Depth to W.T. (ft)	Coastal Storage (in)	Flatwoods Storage (in)	Depression Storage (in)
1.0	0.6	0.6	0.6
1.5	1.6	1.6	1.4
2.0	2.5	2.5	2.1
2.5	4.6	4.0	3.3
3.0	6.6	5.4	4.4
3.25	7.7	6.3	5.0
3.5	8.8	7.2	5.6
4.0	10.9	9.0	6.8

Find the basin's soil classification and input below as "Soil Storage" using the above "Depth to W.T.".

Developed Compacted Pervious Area = **4.61** *Does not include BMP area
Undeveloped Pervious Area = **0.00**
Soil Storage = **5.40**
Soil Moisture Storage (S) = **2.18** inches
Curve Number = **82**

Sailfish Cay On-Site Drainage Calculations

Pre Development Stormwater Calculations

Project: **Sailfish Cay**
Project #: **21-353**

Engineer: **MDL**
Date: **2/16/2022**
Revised:

Land Use Table

Use	Imp. (ac)	Pervious (ac)	Total (ac)
Buildings =	0.000	0.000	0.00
Pavement and Concrete =	0.042	0.000	0.04
Pond =	0.000	0.000	0.00
Pervious =	0.000	4.840	4.84

TOTAL =	0.04	4.84	4.88
---------	------	------	------

Stage-Area Table

:see stage-storage chart for information.

Find Curve Number:

Avg. Pervious Ground El. =	12.50
Avg. Seasonal High Water Table =	8.50
Control Elevation =	8.50
Distance to Water Table =	4.00

Land Use and CN Calcs

Land Use	Area	Soil Grp	CN	Product	NRCS Cover
Buildings =	0.00	N/A	98	0	Impervious
Pavement and Concrete =	0.04	N/A	98	4	Impervious
Pond =	0.00	N/A	98	0	Impervious
Pervious =	4.84	D	80	387	Open - Good
TOTAL =	4.88			391	
Weighted CN =				80	

* Stormwater BMP Area considered impervious with CN = 98, per SFWMD ERP Manual 5.7.8

**Wetlands CN Based on recommended design value from SJRWMD Technical Publication 85-5 "A Guide to SCS Runoff Procedures"

Time of Concentration

The following formulas are per the SCS "Urban Hydrology for Small Watersheds" Technical Publication-55.

Sheet flow occurs over plane surfaces.

$$T_{sf} = \frac{.007 * (n * L)^8}{(P_2)^5 * (s)^4}$$

T_{sf} = Time of Sheet Flow (hour)
 n = Mannings Roughness Coefficient
 P_2 = 2-year 24-hour Rainfall (inches)
 s = Slope of Hydraulic Grade (feet/feet)
 L = Flow Length (feet)

After 300-feet sheet flow usually becomes shallow concentrated flow.

$$\begin{array}{l} \text{(Unpaved)} \quad V = 16.1345 * (s)^5 \\ \text{(Paved)} \quad V = 20.3282 * (s)^5 \end{array}$$

s = Slope of Hydraulic Grade (feet/feet)
 V = Average Velocity (feet/second)

Use the velocity to solve for travel time.

$$T_t = \frac{L}{3600 * V}$$

T_t = Travel Time (hour)
 L = Flow Length (feet)
 V = Average Velocity (feet/second)

When determining flows in open channels use Manning's equation.

$$V = \frac{1.49 * r^{67} * s^5}{n}$$

r = Hydraulic Radius (feet) equal to a/p_w
 s = Slope of Hydraulic Grade (feet/feet)
 V = Average Velocity (feet/second)
 n = Mannings Roughness Coefficient
 a = cross sectional area (sq.ft.)
 p_w = wetted perimeter (feet)

* Use the velocity to solve for travel time with the formula above.

This following calculations for the project have a segmented travel flow line.

T_1 = On site (sheet flow).

Parameters for T_{1A} :

n =	0.011	coefficient
P_2 =	5.00	inches
s =	0.001	foot/foot
L =	0	feet

T_{1A} =	0.0000	hour	=	0.00	minutes
T_t =	0.0000	hour	=	0.0	

Parameters for T_{1b} :

n =	0.400	coefficient
P_2 =	5.00	inches
s =	0.003	foot/foot
L =	0	feet

T_{1B} =	0.0000	hour	=	0.00	minutes
T_t =	0.0000	hour	=	0.0	

Parameter for T_2 :

V = 0.51021769

V =	0.51	
s =	0.001	foot/foot
L =	630	feet

T_1 =	0.3431	hour	=	20.59	minutes
T_t =	0.3431	hour	=	21.0	

TC = total	$T_{1A} + T_{1B} + T_2$	21.0
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Post Development -Stage Storage Calculations

Land use Category	Storage Type	Area (ac.)	From Elev.	To Elev.	Cumulative Stage-Storage (ac-ft)																			
					10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00	18.50	19.00	19.50
Pavement and Concrete	Linear	0.04	12.40	13.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.03	0.05	0.08	0.10	0.12	0.14	0.16	0.18	0.20	0.22	0.24	0.26	0.29
Landscape	Linear	4.84	10.30	15.10	0.00	0.02	0.25	0.73	1.46	2.44	3.68	5.16	6.90	8.89	11.14	13.55	15.97	18.39	20.81	23.23	25.65	28.07	30.49	32.91
Sub-Total:		4.88	Totals:		0.00	0.02	0.25	0.73	1.46	2.44	3.69	5.20	6.96	8.97	11.23	13.67	16.11	18.55	20.99	23.43	25.87	28.32	30.76	33.20
Building Pads		0.00	*Not included in Stage-storage calculations																					
Total:		4.88																						

ICPR Volume to Area Conversion	
$A_2 = 2((V_2 - V_1)/(S_2 - S_1)) - A_1$	
Stage	Volume
Basin Storage (Does not include exfil)	
10.00	0.00
10.50	0.02
11.00	0.25
11.50	0.73
12.00	1.46
12.50	2.44
13.00	3.69
13.50	5.20
14.00	6.96
14.50	8.97
15.00	11.23
15.50	13.67
16.00	16.11

Post Development Stormwater Calculations

Project: **Sailfish Cay**
Project #: **21-353**

Engineer: **MDL**
Date: **2/16/2022**
Revised:

Land Use Table

Use	Imp. (ac)	Pervious (ac)	Total (ac)
Buildings =	1.629	0.000	1.63
Pervious Pavers =	0.095	0.095	0.19
Pavement and Concrete =	1.156	0.000	1.16
Pond =	0.500	0.128	0.63
Bio-Swale =	0.000	0.120	0.12
Pervious =	0.000	1.160	1.16
TOTAL =	3.38	1.50	4.88

Stage-Area Table

:see stage-storage chart for information.

Find Curve Number:

Avg. Pervious Ground El. =	13.00
Avg. Seasonal High Water Table =	8.50
Control Elevation =	8.50
Distance to Water Table =	4.00

Land Use and CN Calcs

Land Use	Area	Soil Grp	CN	Product	NRCS Cover
Buildings =	1.63	N/A	98	160	Impervious
Pervious Pavers =	0.19	D	80	15	Pervious/Impervious
Pavement and Concrete =	1.16	N/A	98	113	Impervious
Pond =	0.50	N/A	98	49	Impervious
Bio-Swale =	0.12	D	98	12	Impervious
Pervious =	1.29	D	80	103	Open - Good
TOTAL =	4.88			452	
Weighted CN =				93	

* Stormwater BMP Area considered impervious with CN = 98, per SFWMD ERP Manual 5.7.8

**Wetlands CN Based on recommended design value from SJRWMD Technical Publication 85-5 "A Guide to SCS Runoff Procedures"

Time of Concentration

The following formulas are per the SCS "Urban Hydrology for Small Watersheds" Technical Publication-55.

Sheet flow occurs over plane surfaces.

$$T_{sf} = \frac{.007 * (n * L)^8}{(P_2)^5 * (s)^4}$$

T_{sf} = Time of Sheet Flow (hour)
 n = Mannings Roughness Coefficient
 P_2 = 2-year 24-hour Rainfall (inches)
 s = Slope of Hydraulic Grade (feet/feet)
 L = Flow Length (feet)

After 300-feet sheet flow usually becomes shallow concentrated flow.

$$\begin{array}{l} \text{(Unpaved)} \quad V = 16.1345 * (s)^5 \\ \text{(Paved)} \quad V = 20.3282 * (s)^5 \end{array}$$

s = Slope of Hydraulic Grade (feet/feet)
 V = Average Velocity (feet/second)

Use the velocity to solve for travel time.

$$T_t = \frac{L}{3600 * V}$$

T_t = Travel Time (hour)
 L = Flow Length (feet)
 V = Average Velocity (feet/second)

When determining flows in open channels use Manning's equation.

$$V = \frac{1.49 * r^{67} * s^5}{n}$$

r = Hydraulic Radius (feet) equal to a/p_w
 s = Slope of Hydraulic Grade (feet/feet)
 V = Average Velocity (feet/second)
 n = Mannings Roughness Coefficient
 a = cross sectional area (sq.ft.)
 p_w = wetted perimeter (feet)

* Use the velocity to solve for travel time with the formula above.

This following calculations for the project have a segmented travel flow line.

T_1 = On site (sheet flow).

Parameters for T_{1A} :

n =	0.011	coefficient
P_2 =	5.00	inches
s =	0.001	foot/foot
L =	0	feet

T_{1A} =	0.0000	hour	=	0.00	minutes
T_t =	0.0000	hour	=	0.0	

Parameters for T_{1b} :

n =	0.400	coefficient
P_2 =	5.00	inches
s =	0.003	foot/foot
L =	0	feet

T_{1B} =	0.0000	hour	=	0.00	minutes
T_t =	0.0000	hour	=	0.0	

Parameter for T_2 :

V = 0.51021769

V =	0.51	
s =	0.001	foot/foot
L =	934	feet

T_1 =	0.5087	hour	=	30.52	minutes
T_t =	0.5087	hour	=	31.0	

TC = total	$T_{1A} + T_{1B} + T_2$	31.0
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Post Development Water Quality Calculations

Project: **Sailfish Cay**
Project #: **21-353**

Engineer
Date
Revised:

MDL
2/16/2022

1-inch Over the Project Area - per SFWMD

$$\text{(Treated Volume)} \quad 1\text{-inch} \quad * \quad 1\text{-ft}/12\text{-in} \quad * \quad \frac{4.88}{\text{PROJECT AREA (EXCLUDES UNDEV/WETLANDS)}} = \frac{0.41}{\text{TREATED VOLUME}} \text{ ac-ft}$$

2.5-inches Times the Percent Impervious - per SFWMD

$$\begin{aligned} \text{(Site Area)} \quad & \frac{4.88}{\text{PROJECT AREA (AC)}} - \left(\frac{0.50}{\text{LAKES (AC)}} + \frac{1.63}{\text{ROOFS (AC)}} \right) = \frac{2.75}{\text{SITE AREA}} \text{ ac} \\ \text{(Impervious Area)} \quad & \frac{2.75}{\text{SITE AREA (AC)}} - \frac{1.42}{\text{PERVIOUS AREA (AC)}} = \frac{1.33}{\text{IMPERVIOUS AREA}} \text{ ac} \\ \text{(% Impervious)} \quad & \frac{\text{IMPERVIOUS AREA} * 100\%}{\text{SITE AREA (AC)}} = 48.38\% \\ \text{(2.5-in * \% Imp.)} \quad & 2.5\text{-inches} * \frac{48.38\%}{\text{PERCENT IMPERVIOUS}} = \frac{1.21}{\text{INCHES TO BE TREATED}} \\ \text{(Treated Volume)} \quad & \frac{1.21}{\text{TREATED (IN)}} * 1\text{-ft}/12\text{-in} * \frac{4.38}{\text{PROJECT AREA - LAKES (AC)}} = \frac{0.44}{\text{TREATED VOLUME}} \end{aligned}$$

	SFWMD - STND	OFW - 150%	
Required Wet Detention =	0.44	0.66	
Required Dry Detention =	0.33	0.50	
Required Retention =	0.22	0.33	
2.5" Times Impervious Governs			

* An additional 0.5-inch of pretreatment for industrial or commercial projects will be needed.

* Per SFWMD, standard water quality volume is 100% for wet detention, 75% for dry detention, and 50% for dry retention

* OFW volume is 150% of the standard SFWMD criteria

Post Development -Stage Storage Calculations

Land use Category	Storage Type	Area (ac.)	From Elev.	To Elev.	Cumulative Stage-Storage (ac-ft)																			
					8.50	9.00	9.50	10.00	10.50	11.00	11.50	12.00	12.50	13.00	13.50	14.00	14.50	15.00	15.50	16.00	16.50	17.00	17.50	18.00
Pond @ CE	Vertical	0.5000	8.50	8.50	0.00	0.25	0.50	0.75	1.00	1.25	1.50	1.75	2.00	2.25	2.50	2.75	3.00	3.25	3.50	3.75	4.00	4.25	4.50	4.75
Pond Slopes	Linear	0.1280	8.50	10.50	0.00	0.01	0.03	0.07	0.13	0.19	0.26	0.32	0.38	0.45	0.51	0.58	0.64	0.70	0.77	0.83	0.90	0.96	1.02	1.09
Bio-Swale Bottom	Vertical	0.0167	12.50	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.01	0.02	0.03	0.04	0.05	0.05	0.06	0.07	0.08
Bio-Swale Slopes	Linear	0.1033	12.50	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.01	0.03	0.08	0.13	0.18	0.23	0.28	0.34	0.39	0.44
SWM WQTV Volume					0.00	0.26	0.53	0.82	1.13	1.44	1.76	2.07	2.38	2.70	3.01	3.33	3.64	3.95	4.27	4.58	4.90	5.21	5.52	5.84
Exfiltration Trench	Vertical		8.50		0.00	0.11	0.24	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36	0.36
Total WQTV Volume					0.00	0.37	0.77	1.18	1.49	1.80	2.12	2.43	2.74	3.06	3.37	3.69	4.00	4.31	4.63	4.94	5.26	5.57	5.88	6.20
Pavement and Concrete	Linear	1.35	12.50	14.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.11	0.45	1.01	1.68	2.36	3.03	3.70	4.37	5.05	5.72	6.39
Landscape	Linear	1.16	10.50	14.00	0.00	0.00	0.00	0.00	0.00	0.04	0.17	0.37	0.66	1.04	1.49	2.03	2.61	3.19	3.77	4.35	4.93	5.51	6.09	6.67
Sub-Total:		3.25			Totals:	0.00	0.37	0.77	1.18	1.49	1.84	2.28	2.80	3.41	4.21	5.31	6.73	8.29	9.86	11.43	12.99	14.56	16.13	17.69
Building Pads		1.63			*Not included in Stage-storage calculations																			
Total:		4.88																						

ICPR Volume to Area Conversion		Set Water Quality Elevation		
$A_2 = 2((V_2 - V_1)/(S_2 - S_1)) - A_1$		Total Water Quality Volume Required:		0.66 ac-ft
Stage Volume		Retention Volume Required for Net Improvement:		0.48 ac-ft
Basin Storage (Does not include exfil)		Retention Volume Remaining for Net Improvement:		0.48 ac-ft
8.50	0.00	Retention Volume Stage for Net Improvement:		9.41 NAVD
9.00	0.26	Detention Water Quality Volume Remaining:		0.18 ac-ft
9.50	0.53	Required Water Quality Detention Stage:		9.73 NAVD
10.00	0.82	Overflow Weir Elevation:		11.00 NAVD
10.50	1.13	Water Quality Detention Volume Provided:		1.32 ac-ft
11.00	1.48	Total Water Quality Volume Provided:		1.80 ac-ft
11.50	1.92			
12.00	2.44			
12.50	3.05			
13.00	3.85			
13.50	4.95			
14.00	6.37			

Based on 2.5 times percent impervious (See WQTV Calculations)

Based on Net Improvement (See BMPTrains Calculations)

Based on remaining Retention Volume in Lake after Exfiltration and PPV in Lake

Bleeder set at 10.00 NAVD

Proposed Weir Elevation

Permanent Pool Volume				
Depth (ft)	Stage (NAVD)	Area (ac)	Inc Vol (acft)	Total Vol (acft)
0	8	0.5	0	0
2	6	0.44	0.94	26.82
12	4	0.3	3.7	30.52

Anoxic depth at 12 feet below normal pool

Post Development Bleeder Size Calculations

Project: **Sailfish Cay**
 Project #: **21-353**

Engineer: **MDL**
 Date: **2/16/2022**

Allowed discharge in the first 24-hours is .5-inches of the required detention.

$$(\text{Discharge Volume}) \quad 0.5\text{-inch} \quad * \quad 1\text{-ft}/12\text{-in} \quad * \quad \frac{4.380}{\text{PROJECT AREA - LAKES (AC)}} = \frac{0.183}{\text{TREATED VOLUME}} \text{ ac-ft}$$

$$(\text{Conversion}) \quad \frac{1\text{-day}}{86,400\text{-sec.}} \quad * \quad \frac{43,560\text{-sf}}{1\text{-acre}} \quad * \quad \frac{0.183}{\text{VOLUME (AC-FT)}} = \frac{0.092}{\text{DISCHARGE}} \text{ cfs}$$

Basin Area = 7.970 ac

Lake Area = 0.000 ac

Bleeder Elevation = 10.00 ft

Bleeder Size (dia) = 3.00 in * First iteration use 3-inch diameter bleeder.

Number of bleeders = 1.00 * Enter the number of bleeders.

Water Quality Stage = 11.00 ft * Enter water quality stage elevation from the stage-storage table spread sheet.

Bleeder Sizing:

Size bleeder to discharge at a rate of 0.5 in/day for the contributing area.

For circular orifice use the following equation.

$$A = \frac{Q}{4.8 * (H)^{.5}}$$

Q = Maximum Flow (cfs)
 A = Cross Sectional Area (sq.ft.)
 H = Head above bleeder centroid (ft)

Results, $Q = \frac{0.092}{\text{cfs}}$
 $H = \frac{0.875}{\text{feet}}$
 $A = \frac{0.0205}{\text{sq.ft.}}$

For diameter of the circular orifice use the following equation.

$$d = \left(\frac{4 * A}{\pi} \right)^{.5}$$

d = diameter (ft)
 A = Cross Sectional Area (sq.ft.)

Results, $A = \frac{0.0205}{\text{sq.ft.}}$
 $d = \frac{0.1615}{\text{feet}}$

Finally, the diameter in inches

$d = \frac{1.94}{\text{inches}}$

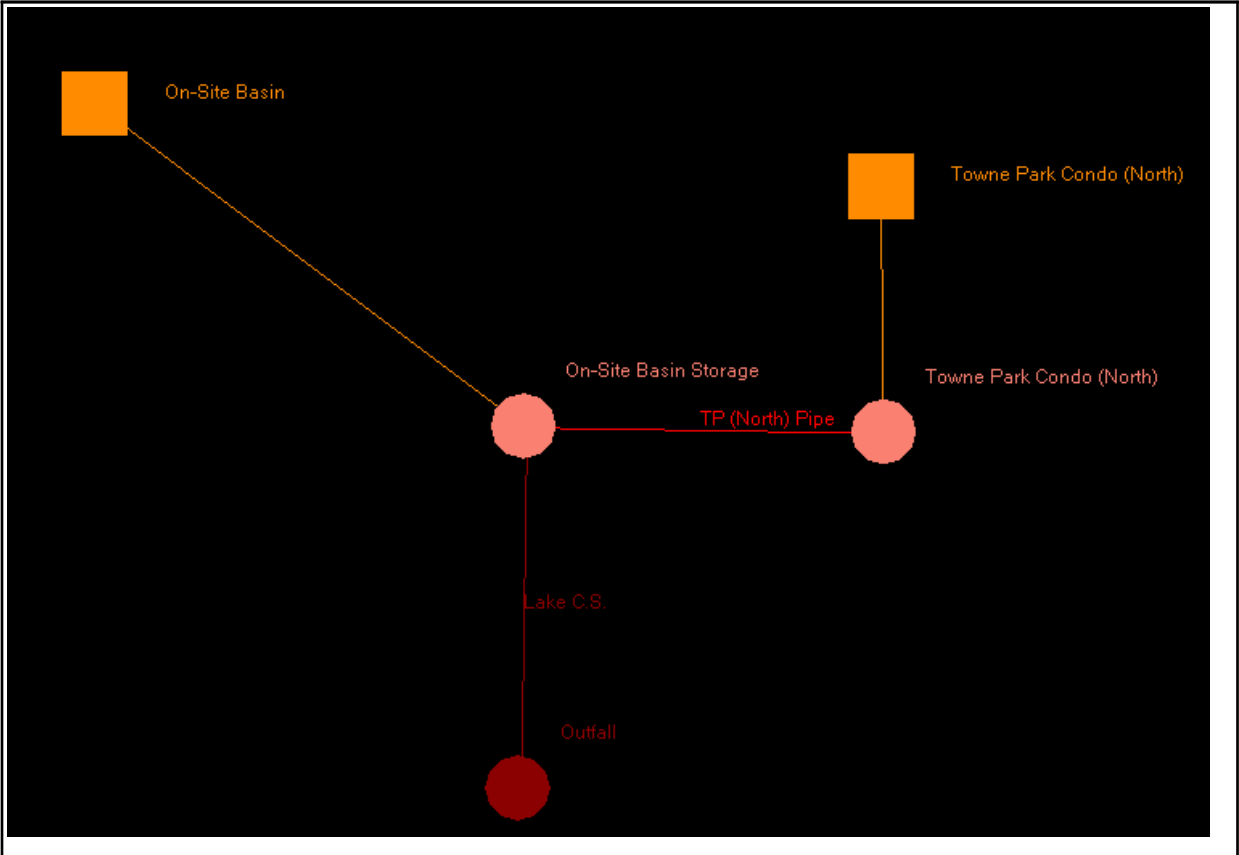
Use minimum sized bleeder

* If diameter is larger than 3-inches than "Bleeder Size" input information needs to be revised until bleeder input size and output diameter equal each other.

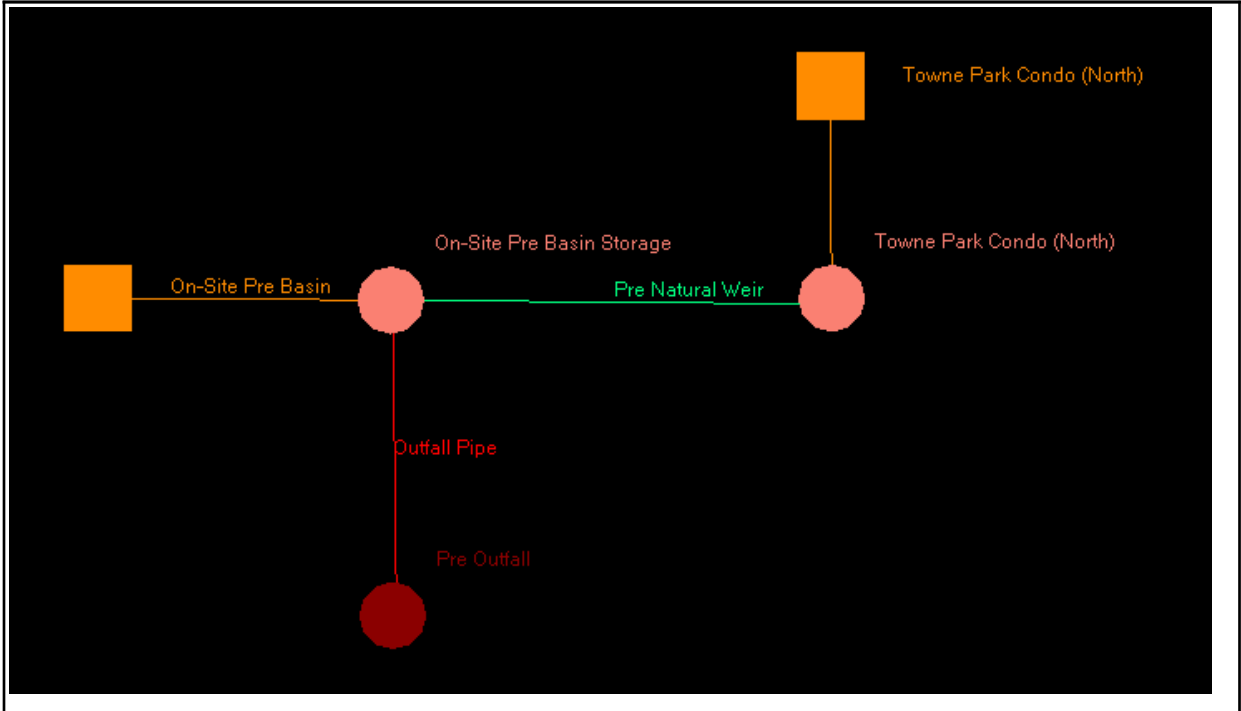
Note: add bleeder diameter to control elevation. Ensure that its less than weir elevation by three inches

Appendix C: ICPR Inputs and Results

Background Image: Post Development



Background Image: Pre-Development



Simulation: 10-1

Scenario: Post Development
 Run Date/Time: 3/22/2022 3:19:19 PM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:
Extern Hydrograph Set:
Curve Number Set: Post Development

Green-Ampt Set:
Vertical Layers Set:
Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR
Max Iterations: 6
Over-Relax Weight 0.5 dec
Fact:
dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft
Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Smp/Man Basin Rain Global
Opt:

Rainfall Name: ~SFWMD-72
Rainfall Amount: 7.00 in
Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft
Min Node Srf Area 100 ft2
(1D):
Energy Switch (1D): Energy

Comment:

Simulation: 10-3

Scenario: Post Development
 Run Date/Time: 3/22/2022 3:19:43 PM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:
 Extern Hydrograph Set:
 Curve Number Set: Post Development

 Green-Ampt Set:
 Vertical Layers Set:
 Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR	IA Recovery Time: 24.0000 hr
Max Iterations: 6	
Over-Relax Weight 0.5 dec	
Fact:	
dZ Tolerance: 0.0010 ft	Smp/Man Basin Rain Global
	Opt:
Max dZ: 1.0000 ft	Rainfall Name: ~SFWMD-72
Link Optimizer Tol: 0.0001 ft	Rainfall Amount: 9.50 in
	Storm Duration: 72.0000 hr
Edge Length Option: Automatic	
	Dflt Damping (1D): 0.0050 ft
	Min Node Srf Area 100 ft2
	(1D):
	Energy Switch (1D): Energy

Comment:

Simulation: 100-3

Scenario: Post Development
Run Date/Time: 3/22/2022 10:51:22 AM
Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: Post Development

Green-Ampt Set:

Vertical Layers Set:

Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight 0.5 dec

Fact:

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Smp/Man Basin Rain Global
Opt:

Rainfall Name: ~SFWMD-72

Rainfall Amount: 15.00 in

Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft

Min Node Srf Area 100 ft2

(1D):

Energy Switch (1D): Energy

Comment:

Simulation: 25-3

Scenario: Post Development

Run Date/Time: 3/22/2022 3:20:35 PM

Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:
 Extern Hydrograph Set:
 Curve Number Set: Post Development

 Green-Ampt Set:
 Vertical Layers Set:
 Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR
 Max Iterations: 6
 Over-Relax Weight 0.5 dec
 Fact:
 dZ Tolerance: 0.0010 ft

IA Recovery Time: 24.0000 hr

 Smp/Man Basin Rain Global

Max dZ: 1.0000 ft
 Link Optimizer Tol: 0.0001 ft
 Edge Length Option: Automatic

Opt:

Rainfall Name: ~SFWMD-72
 Rainfall Amount: 11.00 in
 Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft
 Min Node Srf Area 100 ft2
 (1D):
 Energy Switch (1D): Energy

Comment:

Simulation: 3-1

Scenario: Post Development
 Run Date/Time: 3/22/2022 3:21:05 PM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000
	Hydrology [sec]	Surface Hydraulics [sec]		
Min Calculation Time:	60.0000	0.1000		
Max Calculation Time:		30.0000		

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:
 Extern Hydrograph Set:
 Curve Number Set: Post Development

 Green-Ampt Set:
 Vertical Layers Set:
 Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR	IA Recovery Time: 24.0000 hr
Max Iterations: 6	
Over-Relax Weight 0.5 dec	
Fact:	
dZ Tolerance: 0.0010 ft	Smp/Man Basin Rain Global
	Opt:
Max dZ: 1.0000 ft	Rainfall Name: ~SCSIII-24
Link Optimizer Tol: 0.0001 ft	Rainfall Amount: 5.00 in
	Storm Duration: 72.0000 hr
Edge Length Option: Automatic	
	Dflt Damping (1D): 0.0050 ft
	Min Node Srf Area 100 ft2
	(1D):
	Energy Switch (1D): Energy

Comment:

Simulation: 5-1

Scenario: Post Development
 Run Date/Time: 3/22/2022 3:21:34 PM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: Post Development

Green-Ampt Set:

Vertical Layers Set:

Impervious Set: Post Development

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight 0.5 dec

Fact:

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Smp/Man Basin Rain Global

Opt:

Rainfall Name: ~SCSIII-24

Rainfall Amount: 6.00 in

Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft
 Min Node Srf Area 100 ft2
 (1D):
 Energy Switch (1D): Energy

Comment:

Simulation: 10-3

Scenario: Pre Development
 Run Date/Time: 3/23/2022 10:43:40 AM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000
	Hydrology [sec]		Surface Hydraulics [sec]	
Min Calculation Time:	60.0000		0.1000	
Max Calculation Time:			30.0000	

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources	Lookup Tables
Rainfall Folder:	Boundary Stage Set:
Unit Hydrograph Folder:	Extern Hydrograph Set:
	Curve Number Set: Pre Development
	Green-Ampt Set:
	Vertical Layers Set:
	Impervious Set: Pre Development

Tolerances & Options	
Time Marching: SAOR	IA Recovery Time: 24.0000 hr
Max Iterations: 6	
Over-Relax Weight: 0.5 dec	
Fact:	
dZ Tolerance: 0.0010 ft	Smp/Man Basin Rain Opt: Global
Max dZ: 1.0000 ft	
Link Optimizer Tol: 0.0001 ft	Rainfall Name: ~SFWMD-72
Edge Length Option: Automatic	Rainfall Amount: 9.50 in
	Storm Duration: 72.0000 hr
	Dflt Damping (1D): 0.0050 ft
	Min Node Srf Area (1D): 100 ft2
	Energy Switch (1D): Energy

Comment:

Simulation: 25-3

Scenario: Pre Development
Run Date/Time: 3/23/2022 10:44:35 AM
Program Version: ICPR4 4.07.08

General				
Run Mode:	Normal			
	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000
	Hydrology [sec]	Surface Hydraulics [sec]		
Min Calculation Time:	60.0000	0.1000		
Max Calculation Time:		30.0000		

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: Pre Development

Green-Ampt Set:

Vertical Layers Set:

Impervious Set: Pre Development

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight 0.5 dec

Fact:

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Smp/Man Basin Rain Global
Opt:

Rainfall Name: ~SFWMD-72

Rainfall Amount: 11.00 in

Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft

Min Node Srf Area 100 ft2

(1D):

Energy Switch (1D): Energy

Comment:

Simulation: 3-1

Scenario: Pre Development
 Run Date/Time: 3/23/2022 10:45:34 AM
 Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:
 Extern Hydrograph Set:
 Curve Number Set: Pre Development

 Green-Ampt Set:
 Vertical Layers Set:
 Impervious Set: Pre Development

Tolerances & Options

Time Marching: SAOR	IA Recovery Time: 24.0000 hr
Max Iterations: 6	
Over-Relax Weight 0.5 dec	
Fact:	
dZ Tolerance: 0.0010 ft	Smp/Man Basin Rain Global
	Opt:
Max dZ: 1.0000 ft	Rainfall Name: ~SCSIII-24
Link Optimizer Tol: 0.0001 ft	Rainfall Amount: 5.00 in
	Storm Duration: 72.0000 hr
Edge Length Option: Automatic	
	Dflt Damping (1D): 0.0050 ft
	Min Node Srf Area 100 ft2
	(1D):
	Energy Switch (1D): Energy

Comment:

Simulation: 5-1

Scenario: Pre Development
Run Date/Time: 3/23/2022 10:46:32 AM
Program Version: ICPR4 4.07.08

General

Run Mode: Normal

	Year	Month	Day	Hour [hr]
Start Time:	0	0	0	0.0000
End Time:	0	0	0	360.0000

	Hydrology [sec]	Surface Hydraulics [sec]
Min Calculation Time:	60.0000	0.1000
Max Calculation Time:		30.0000

Output Time Increments

Hydrology

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Surface Hydraulics

Year	Month	Day	Hour [hr]	Time Increment [min]
0	0	0	0.0000	60.0000
0	0	0	55.0000	60.0000
0	0	0	70.0000	60.0000
0	0	0	360.0000	60.0000

Restart File

Save Restart: False

Resources & Lookup Tables

Resources

Rainfall Folder:

Unit Hydrograph
Folder:

Lookup Tables

Boundary Stage Set:

Extern Hydrograph Set:

Curve Number Set: Pre Development

Green-Ampt Set:

Vertical Layers Set:

Impervious Set: Pre Development

Tolerances & Options

Time Marching: SAOR

Max Iterations: 6

Over-Relax Weight 0.5 dec

Fact:

dZ Tolerance: 0.0010 ft

Max dZ: 1.0000 ft

Link Optimizer Tol: 0.0001 ft

Edge Length Option: Automatic

IA Recovery Time: 24.0000 hr

Smp/Man Basin Rain Global
Opt:

Rainfall Name: ~SCSIII-24

Rainfall Amount: 6.00 in

Storm Duration: 72.0000 hr

Dflt Damping (1D): 0.0050 ft

Min Node Srf Area 100 ft2

(1D):

Energy Switch (1D): Energy

Comment:

Curve Number: Post Development [Set]

Land Cover Zone	Soil Zone	Curve Number [dec]
Post Development	On-Site Basin	93.0
Post Development	TPC	82.0

Curve Number: Pre Development [Set]

Land Cover Zone	Soil Zone	Curve Number [dec]
Pre Development	On-Site Pre Basin	80.0
Pre Development	TPC	82.0

Manual Basin: On-Site Basin

Scenario: Post Development
 Node: On-Site Basin Storage
 Hydrograph Method: NRCS Unit Hydrograph
 Infiltration Method: Curve Number
 Time of Concentration: 31.0000 min
 Max Allowable Q: 99999.00 cfs
 Time Shift: 0.0000 hr
 Unit Hydrograph: UH323
 Peaking Factor: 323.0
 Area: 4.8800 ac

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
4.8800	Post Development	On-Site Basin	

Comment:

Manual Basin: Towne Park Condo (North)

Scenario: Post Development
 Node: Towne Park Condo (North)
 Hydrograph Method: NRCS Unit Hydrograph
 Infiltration Method: Curve Number
 Time of Concentration: 30.0000 min
 Max Allowable Q: 9999.00 cfs
 Time Shift: 0.0000 hr
 Unit Hydrograph: UH323
 Peaking Factor: 323.0
 Area: 8.5600 ac

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
8.5600	Post Development	TPC	

Comment:

Manual Basin: On-Site Pre Basin

Scenario: Pre Development
 Node: On-Site Pre Basin Storage
 Hydrograph Method: NRCS Unit Hydrograph

Infiltration Method: Curve Number
 Time of Concentration: 21.0000 min
 Max Allowable Q: 999999.00 cfs
 Time Shift: 0.0000 hr
 Unit Hydrograph: UH256
 Peaking Factor: 256.0
 Area: 4.8800 ac

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
4.8800	Pre Development	On-Site Pre Basin	

Comment:

Manual Basin: Towne Park Condo (North)

Scenario: Pre Development
 Node: Towne Park Condo (North)
 Hydrograph Method: NRCS Unit Hydrograph
 Infiltration Method: Curve Number
 Time of Concentration: 30.0000 min
 Max Allowable Q: 9999.00 cfs
 Time Shift: 0.0000 hr
 Unit Hydrograph: UH323
 Peaking Factor: 323.0
 Area: 8.5600 ac

Area [ac]	Land Cover Zone	Soil Zone	Rainfall Name
8.5600	Pre Development	TPC	

Comment:

Node: On-Site Basin Storage

Scenario: Post Development
 Type: Stage/Volume
 Base Flow: 0.00 cfs
 Initial Stage: 8.50 ft
 Warning Stage: 14.00 ft

Stage [ft]	Volume [ac-ft]	Volume [ft3]
8.50	0.00	0
9.00	0.26	11326
9.50	0.53	23087
10.00	0.82	35719
10.50	1.13	49223
11.00	1.48	64469
11.50	1.92	83635
12.00	2.44	106286
12.50	3.05	132858

Stage [ft]	Volume [ac-ft]	Volume [ft3]
13.00	3.85	167706
13.50	4.95	215622
14.00	6.37	277477

Comment:

Node Max Conditions w/ Times [Post Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
On-Site Basin Storage	10-1	14.00	12.45	0.0010	30.05	1.22	60097	62.4446	59.8632	0.0000	61.6613
On-Site Basin Storage	10-3	14.00	12.76	0.0010	30.05	1.98	72721	62.2219	60.2264	0.0000	62.1802
On-Site Basin Storage	100-3	14.00	13.75	0.0010	34.59	0.00	122986	72.8868	58.7508	60.0003	0.0000
On-Site Basin Storage	25-3	14.00	12.86	0.0010	30.05	3.62	76927	61.6890	59.9052	0.0000	61.6723
On-Site Basin Storage	3-1	14.00	12.20	0.0010	30.05	1.22	54141	76.2503	36.7421	0.0000	40.4503
On-Site Basin Storage	5-1	14.00	12.21	0.0010	30.05	1.38	54279	75.5283	36.7309	0.0000	40.9700

Node: Outfall

Scenario: Post Development

Type: Time/Stage

Base Flow: 0.00 cfs

Initial Stage: 10.00 ft

Warning Stage: 14.00 ft

Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	10.00
0	0	0	55.0000	11.25
0	0	0	70.0000	12.25
0	0	0	360.0000	10.00

Comment:

Node Max Conditions w/ Times [Post Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Outfall	10-1	14.00	12.25	0.0006	1.22	0.26	0	70.0029	64.0446	61.6696	50.4073
Outfall	10-3	14.00	12.25	0.0006	1.98	0.19	0	70.0052	64.0136	62.1886	32.7635
Outfall	100-3	14.00	11.50	0.0003	0.00	0.00	0	70.0034	61.5868	0.0000	0.0000
Outfall	25-3	14.00	12.25	0.0006	3.62	0.18	0	70.0056	64.0306	61.6806	30.1319
Outfall	3-1	14.00	12.25	0.0006	1.22	0.66	0	70.0003	64.0253	40.4586	70.0003
Outfall	5-1	14.00	12.25	0.0006	1.38	0.61	0	70.0033	64.0116	40.9783	70.0033

Node: Towne Park Condo (North)

Scenario: Post Development
 Type: Stage/Volume
 Base Flow: 0.00 cfs
 Initial Stage: 11.50 ft
 Warning Stage: 14.00 ft

Stage [ft]	Volume [ac-ft]	Volume [ft3]
11.50	0.00	0
12.50	2.66	115870
13.50	8.94	389426
14.00	13.40	583704

Comment:

Node Max Conditions w/ Times [Post Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Towne Park Condo (North)	10-1	14.00	12.44	-0.0300	16.80	30.05	184866	72.3113	0.0001	60.1834	0.0000
Towne	10-3	14.00	12.71	-0.0300	24.04	30.05	222789	72.2386	0.0001	60.1829	0.0000

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Park Condo (North)											
Towne Park Condo (North)	100-3	14.00	13.55	0.0010	39.76	0.00	341616	74.6534	60.5147	60.1670	0.0000
Towne Park Condo (North)	25-3	14.00	12.79	-0.0300	28.35	30.05	233625	65.4973	0.0001	60.1825	0.0000
Towne Park Condo (North)	3-1	14.00	11.81	-0.0300	6.91	30.05	86267	41.3086	0.0001	36.7998	0.0000
Towne Park Condo (North)	5-1	14.00	12.02	-0.0300	8.83	30.05	118240	41.7700	0.0001	36.8003	0.0000

Node: On-Site Pre Basin Storage

Scenario: Pre Development
Type: Stage/Volume
Base Flow: 0.00 cfs
Initial Stage: 10.00 ft
Warning Stage: 0.00 ft

Stage [ft]	Volume [ac-ft]	Volume [ft3]
10.00	0.00	0
10.50	0.02	871
11.00	0.25	10890
11.50	0.73	31799
12.00	1.46	63598
12.50	2.44	106286
13.00	3.69	160736
13.50	5.20	226512
14.00	6.96	303178
14.50	8.97	390733
15.00	11.23	489179
15.50	13.67	595465

Comment:

Node Max Conditions w/ Times [Pre Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
On-Site Pre Basin Storage	10-3	0.00	12.32	0.0231	23.37	5.41	89007	62.0624	0.0001	0.0000	62.4624
On-Site Pre Basin Storage	25-3	0.00	12.44	0.0231	25.67	6.05	94443	62.1254	0.0001	60.2269	62.1337
On-Site Pre Basin Storage	3-1	0.00	12.23	0.0231	23.37	5.89	85009	72.4472	0.0001	0.0000	68.9821
On-Site Pre Basin Storage	5-1	0.00	12.23	0.0231	23.37	5.68	85042	72.3768	0.0001	0.0000	68.9450

Node: Pre Outfall

Scenario: Pre Development
 Type: Time/Stage
 Base Flow: 0.00 cfs
 Initial Stage: 10.00 ft
 Warning Stage: 14.00 ft
 Boundary Stage:

Year	Month	Day	Hour	Stage [ft]
0	0	0	0.0000	10.00
0	0	0	55.0000	11.25
0	0	0	70.0000	12.25
0	0	0	360.0000	10.00

Comment:

Node Max Conditions w/ Times [Pre Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Pre Outfall	10-3	14.00	12.25	0.0006	5.41	2.12	0	70.0041	64.0124	62.4624	69.9957
Pre Outfall	25-3	14.00	12.25	0.0006	6.05	1.42	0	70.0004	64.0171	62.1337	70.0004
Pre Outfall	3-1	14.00	12.25	0.0006	2.69	3.30	0	70.0056	64.0488	38.2942	69.9972
Pre Outfall	5-1	14.00	12.25	0.0006	3.28	3.26	0	70.0018	64.0117	38.3482	69.9935

Node: Towne Park Condo (North)

Scenario: Pre Development
 Type: Stage/Volume
 Base Flow: 0.00 cfs
 Initial Stage: 11.50 ft
 Warning Stage: 14.00 ft

Stage [ft]	Volume [ac-ft]	Volume [ft3]
11.50	0.00	0
12.50	2.66	115870
13.50	8.94	389426
14.00	13.40	583704

Comment:

Node Max Conditions w/ Times [Pre Development]

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Towne Park Condo (North)	10-3	14.00	12.32	-0.0231	24.04	23.37	166640	62.0624	0.0001	60.1834	0.0000
Towne Park Condo (North)	25-3	14.00	12.44	-0.0231	28.35	23.37	185602	62.1254	0.0001	60.1822	0.0000
Towne Park	3-1	14.00	12.23	-0.0231	6.91	23.37	152487	72.6139	0.0001	36.8001	0.0000

Node Name	Sim Name	Warning Stage [ft]	Max Stage [ft]	Min/Max Delta Stage [ft]	Max Total Inflow [cfs]	Max Total Outflow [cfs]	Max Surface Area [ft2]	Time to Max Stage [hr]	Time to Min/Max Delta Stage [hr]	Time to Max Total Inflow [hr]	Time to Max Total Outflow [hr]
Condo (North)											
Towne Park Condo (North)	5-1	14.00	12.23	-0.0231	8.83	23.37	152615	72.5351	0.0001	36.8009	0.0000

Drop Structure Link: Lake C.S.		Upstream Pipe		Downstream Pipe	
Scenario:	Post Development	Invert:	8.00 ft	Invert:	8.00 ft
From Node:	On-Site Basin Storage	Manning's N:	0.0110	Manning's N:	0.0110
To Node:	Outfall	Geometry:	Circular	Geometry:	Circular
Link Count:	1	Max Depth:	2.00 ft	Max Depth:	2.00 ft
Flow Direction:	Both	Bottom Clip			
Solution:	Combine	Default:	0.00 ft	Default:	0.00 ft
Increments:	0	Op Table:		Op Table:	
Pipe Count:	1	Ref Node:		Ref Node:	
Damping:	0.0000 ft	Manning's N:	0.0000	Manning's N:	0.0000
Length:	366.00 ft	Top Clip			
FHWA Code:	0	Default:	0.00 ft	Default:	0.00 ft
Entr Loss Coef:	0.00	Op Table:		Op Table:	
Exit Loss Coef:	0.00	Ref Node:		Ref Node:	
Bend Loss Coef:	0.00	Manning's N:	0.0000	Manning's N:	0.0000
Bend Location:	0.00 dec				
Energy Switch:	Energy				
Pipe Comment:					

Weir Component			
Weir:	1	Bottom Clip	
Weir Count:	1	Default:	0.00 ft
Weir Flow Direction:	Both	Op Table:	
Damping:	0.0000 ft	Ref Node:	
Weir Type:	Sharp Crested Vertical	Top Clip	
Geometry Type:	Circular	Default:	0.00 ft
Invert:	10.00 ft	Op Table:	
Control Elevation:	10.00 ft	Ref Node:	
Max Depth:	0.25 ft	Discharge Coefficients	
		Weir Default:	3.200
		Weir Table:	
		Orifice Default:	0.600
		Orifice Table:	
Weir Comment: bleeder			

Weir Component	
Weir: 2	Bottom Clip
Weir Count: 1	Default: 0.00 ft
Weir Flow Direction: Both	Op Table:
Damping: 0.0000 ft	Ref Node:
Weir Type: Sharp Crested Vertical	Top Clip
Geometry Type: Rectangular	Default: 0.00 ft
Invert: 11.00 ft	Op Table:
Control Elevation: 11.00 ft	Ref Node:
Max Depth: 0.25 ft	Discharge Coefficients
Max Width: 1.00 ft	Weir Default: 3.200
Fillet: 0.00 ft	Weir Table:
	Orifice Default: 0.600
	Orifice Table:
Weir Comment: weir	

Weir Component	
Weir: 3	Bottom Clip
Weir Count: 1	Default: 0.00 ft
Weir Flow Direction: Both	Op Table:
Damping: 0.0000 ft	Ref Node:
Weir Type: Horizontal	Top Clip
Geometry Type: Rectangular	Default: 0.00 ft
Invert: 12.70 ft	Op Table:
Control Elevation: 12.70 ft	Ref Node:
Max Depth: 3.00 ft	Discharge Coefficients
Max Width: 2.00 ft	Weir Default: 3.200
Fillet: 0.00 ft	Weir Table:
	Orifice Default: 0.600
	Orifice Table:
Weir Comment: rim	

Drop Structure Comment:

Weir Link: Pre Natural Weir	
Scenario: Pre Development	Bottom Clip
From Node: Towne Park Condo (North)	Default: 0.00 ft
To Node: On-Site Pre Basin Storage	Op Table:
Link Count: 1	Ref Node:
Flow Direction: Both	Top Clip
Damping: 0.0000 ft	Default: 0.00 ft
Weir Type: Broad Crested Vertical	Op Table:
Geometry Type: Rectangular	Ref Node:
Invert: 11.10 ft	Discharge Coefficients
Control Elevation: 11.10 ft	Weir Default: 2.800
Max Depth: 1.00 ft	Weir Table:

Max Width: 33.00 ft

Fillet: 0.00 ft

Orifice Default: 0.600

Orifice Table:

Comment:

Pipe Link: TP (North) Pipe		Upstream	Downstream
Scenario:	Post Development	Invert: 6.00 ft	Invert: 6.00 ft
From Node:	Towne Park Condo (North)	Manning's N: 0.0130	Manning's N: 0.0130
		Geometry: Circular	Geometry: Circular
To Node:	On-Site Basin Storage	Max Depth: 2.00 ft	Max Depth: 2.00 ft
		Bottom Clip	
Link Count:	1	Default: 0.00 ft	Default: 0.00 ft
Flow Direction:	Positive	Op Table:	Op Table:
Damping:	0.0000 ft	Ref Node:	Ref Node:
Length:	170.00 ft	Manning's N: 0.0000	Manning's N: 0.0000
FHWA Code:	0	Top Clip	
Entr Loss Coef:	0.00	Default: 0.00 ft	Default: 0.00 ft
Exit Loss Coef:	0.00	Op Table:	Op Table:
Bend Loss Coef:	0.00	Ref Node:	Ref Node:
Bend Location:	0.00 dec	Manning's N: 0.0000	Manning's N: 0.0000
Energy Switch:	Energy		

Comment:

Pipe Link: Outfall Pipe		Upstream	Downstream
Scenario:	Pre Development	Invert: 10.04 ft	Invert: 10.83 ft
From Node:	On-Site Pre Basin Storage	Manning's N: 0.0130	Manning's N: 0.0130
		Geometry: Circular	Geometry: Circular
To Node:	Pre Outfall	Max Depth: 1.50 ft	Max Depth: 1.50 ft
		Bottom Clip	
Link Count:	1	Default: 0.00 ft	Default: 0.00 ft
Flow Direction:	Both	Op Table:	Op Table:
Damping:	0.0000 ft	Ref Node:	Ref Node:
Length:	100.00 ft	Manning's N: 0.0000	Manning's N: 0.0000
FHWA Code:	0	Top Clip	
Entr Loss Coef:	0.00	Default: 0.00 ft	Default: 0.00 ft
Exit Loss Coef:	0.00	Op Table:	Op Table:
Bend Loss Coef:	0.00	Ref Node:	Ref Node:
Bend Location:	0.00 dec	Manning's N: 0.0000	Manning's N: 0.0000
Energy Switch:	Energy		

Comment:

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Project Data

Project Name: Sailfish Cay
Simulation Description: Recovery Analysis
Project Number: 21-353
Engineer : MDL
Supervising Engineer: RJK
Date: 03-22-2022

Aquifer Data

Base Of Aquifer Elevation, [B] (ft datum): -3.00
Water Table Elevation, [WT] (ft datum): 8.50
Horizontal Saturated Hydraulic Conductivity, [Kh] (ft/day): 21.53
Fillable Porosity, [n] (%): 30.00
Unsaturated Vertical Infiltration Rate, [Iv] (ft/day): 14.54
Maximum Area For Unsaturated Infiltration, [Av] (ft²): 7789.0

Geometry Data

Equivalent Pond Length, [L] (ft): 230.0
Equivalent Pond Width, [W] (ft): 105.0
Ground water mound is expected to intersect the pond bottom

Stage vs Area Data

Stage (ft datum)	Area (ft ²)
8.50	0.0
9.00	11326.0
9.50	23087.0
10.00	35719.0
10.50	49223.0
11.00	64469.0
11.50	83635.0

Ditch Data

Ditch (or interceptor trench) parallel to length axis is inactive
Ditch (or interceptor trench) parallel to width axis is inactive

Discharge Structures

Discharge Structure #1 is inactive

Discharge Structure #2 is inactive

Discharge Structure #3 is inactive

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Scenario Input Data

Scenario 1 :: Slug Load Recovery

Hydrograph Type: Slug Load
Modflow Routing: Routed with infiltration

Treatment Volume (ft³) 19167

Initial ground water level (ft datum) 8.50 (default)

Time After Storm Event (days)	Time After Storm Event (days)	Time After Storm Event (days)	Time After Storm Event (days)	Time After Storm Event (days)
0.100	2.500	5.500	8.500	11.500
0.250	3.000	6.000	9.000	12.000
0.500	3.500	6.500	9.500	
1.000	4.000	7.000	10.000	
1.500	4.500	7.500	10.500	
2.000	5.000	8.000	11.000	

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Modflow Log

MODFLOW CONTROL PARAMETERS

Perimeter boundary condition: constant head
Maximum iterations of outer loop: 150
Maximum iterations of inner loop: 60
Horizontal conductivity within pond: 1000000 (if ground water mound is expected to intersect pond bottom)
Instantaneous storage coefficient: Volumetric balance
Default head closure tolerance: .01
Default residual closure tolerance: .5
Target water budget error: 1
On failure to converge: Rerun limiting inner loop to one iteration
 > Maximum number of iterations of outer loop: 500
Running Average Porosity is active
 > Starting on pass: 2
 > When outer iteration reaches: 50
 > Number of data points: 4
Running Average Pond Stage (for discharge structures with tailwater) is active
 > Starting on pass: 2
 > When outer iteration reaches: 50
 > Number of data points: 4
Grid size: 1000 ft (from pond centerline)
Mound Output: none

Begin Scenario 1 3/23/2022 10:17:59

End Scenario 1 3/23/2022 10:17:59

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Detailed Results :: Scenario 1 :: Slug Load Recovery

Elapsed Time (hours)	Instantaneous Inflow Rate (ft ³ /s)	Outside Recharge (ft/day)	Stage Elevation (ft datum)	Infiltration Rate (ft ³ /s)	Combined Instantaneous Discharge Rate (ft ³ /s)	Cumulative Inflow Volume (ft ³)	Cumulative Infiltration Volume (ft ³)	Combined Cumulative Discharge (ft ³)	Flow Type
0.000	3194.5000	0.00000	8.49999	0.00000	0	0.000	0.0	0	N.A.
0.002	3194.5000	0.00000	9.78891	1.31010	0	19167.000	7.9	0	U/P
2.400	0.0000	0.00000	9.69631	0.23436	0	19167.000	2713.4	0	U/S
6.000	0.0000	0.00000	9.64145	0.09924	0	19167.000	4213.9	0	S
12.000	0.0000	0.00000	9.58168	0.06304	0	19167.000	5762.2	0	S
24.000	0.0000	0.00000	9.49971	0.03969	0	19167.000	7739.1	0	S
36.000	0.0000	0.00000	9.43461	0.03007	0	19167.000	9191.6	0	S
48.000	0.0000	0.00000	9.37983	0.02414	0	19167.000	10336.8	0	S
60.000	0.0000	0.00000	9.33210	0.02005	0	19167.000	11277.0	0	S
72.000	0.0000	0.00000	9.28962	0.01702	0	19167.000	12068.8	0	S
84.000	0.0000	0.00000	9.25124	0.01468	0	19167.000	12747.7	0	S
96.000	0.0000	0.00000	9.21621	0.01280	0	19167.000	13337.0	0	S
108.000	0.0000	0.00000	9.18399	0.01126	0	19167.000	13853.6	0	S
120.000	0.0000	0.00000	9.15418	0.00997	0	19167.000	14309.7	0	S
132.000	0.0000	0.00000	9.12649	0.00887	0	19167.000	14714.8	0	S
144.000	0.0000	0.00000	9.10066	0.00793	0	19167.000	15076.2	0	S
156.000	0.0000	0.00000	9.07651	0.00712	0	19167.000	15400.1	0	S
168.000	0.0000	0.00000	9.05388	0.00641	0	19167.000	15691.2	0	S
180.000	0.0000	0.00000	9.03262	0.00578	0	19167.000	15953.6	0	S
192.000	0.0000	0.00000	9.01262	0.00523	0	19167.000	16190.7	0	S
204.000	0.0000	0.00000	8.99378	0.00474	0	19167.000	16405.5	0	S
216.000	0.0000	0.00000	8.97603	0.00431	0	19167.000	16600.5	0	S
228.000	0.0000	0.00000	8.95928	0.00392	0	19167.000	16777.9	0	S
240.000	0.0000	0.00000	8.94347	0.00358	0	19167.000	16939.5	0	S
252.000	0.0000	0.00000	8.92853	0.00327	0	19167.000	17087.1	0	S
264.000	0.0000	0.00000	8.91439	0.00299	0	19167.000	17222.1	0	S
276.000	0.0000	0.00000	8.90101	0.00274	0	19167.000	17345.7	0	S
288.000	0.0000	0.00000	8.88832	----	----	19167.000	17459.1	0	N.A.

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Summary of Results :: Scenario 1 :: Slug Load Recovery

	Time (hours)	Stage (ft datum)	Rate (ft ³ /s)	Volume (ft ³)
Stage				
Minimum	0.000	8.50		
Maximum	0.002	9.79		
Inflow				
Rate - Maximum - Positive	0.002		3194.5000	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	0.002			19167.0
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	288.000			19167.0
Infiltration				
Rate - Maximum - Positive	0.002		1.3101	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	288.000			17459.1
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	288.000			17459.1
Combined Discharge				
Rate - Maximum - Positive	None		None	
Rate - Maximum - Negative	None		None	
Cumulative Volume - Maximum Positive	None			None
Cumulative Volume - Maximum Negative	None			None
Cumulative Volume - End of Simulation	288.000			0.0
Discharge Structure 1 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 2 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Discharge Structure 3 - inactive				
Rate - Maximum - Positive	disabled		disabled	
Rate - Maximum - Negative	disabled		disabled	
Cumulative Volume - Maximum Positive	disabled			disabled
Cumulative Volume - Maximum Negative	disabled			disabled
Cumulative Volume - End of Simulation	disabled			disabled
Pollution Abatement:				
36 Hour Stage and Infiltration Volume	36.000	9.43		9191.6
72 Hour Stage and Infiltration Volume	72.000	9.29		12068.8

Appendix D: Geotechnical Report

**LIMITED SUBSURFACE SOIL EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
4.88 ACRES - 751 SE CENTRAL PARKWAY
STUART, MARTIN COUNTY, FLORIDA**

AACE FILE NO. 21-222



ANDERSEN ANDRE CONSULTING ENGINEERS, INC.

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Johnston Group Development & Construction, Inc.
224 Chimney Corner Lane, Suite 3032
Jupiter, FL 33458

Attention: Mr. Ryan B. Johnston

**LIMITED SUBSURFACE SOIL EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
4.88 ACRES - 751 SE CENTRAL PARKWAY
STUART, MARTIN COUNTY, FLORIDA**

1.0 INTRODUCTION

In accordance with your request and authorization, Andersen Andre Consulting Engineers, Inc. (AACE) has completed a limited subsurface exploration and preliminary geotechnical engineering analyses for the above referenced project. The purpose of performing this evaluation was to explore shallow soil types and groundwater levels in order to provide preliminary Geotechnical Engineering recommendations for the development of the subject property. Our work included Standard Penetration Test (SPT) borings, hand auger borings, soil hydraulic conductivity (exfiltration) testing, laboratory testing, and engineering analysis.

This report documents our explorations and presents our findings, and summarizes our preliminary opinions. We note that it is recommended that additional subsurface soil explorations be performed once the final locations and details of the proposed development features have been determined. Complete recommendations for site preparation procedures and foundation design for the individual project components can be provided once these additional exploratory efforts have been completed.

1.1 Site Location and Description

The subject site is comprised of the following parcel located at 751 SE Central Parkway in Stuart, Martin County, Florida (within Section 9, Township 38 South, Range 41 East): Parcel ID 09-38-41-011-000-0000-1 (4.88 acres). A Site Vicinity Map (2021 Google Earth aerial photograph) which depicts the location of the site is included on the attached Figure No. 1. The site location is further shown superimposed on the "St. Lucie Inlet, Florida" USGS topographic quadrangle map (2003), also included on Figure No. 1. The USGS map depicts the subject site as relatively level and having an approximate surface elevation of 10 feet relative to the National Geodetic Vertical Datum of 1929. The subject site is depicted as vacant/undeveloped land on the USGS map. No obvious evidence of any mining, landfilling, etc. and no structures are visible on the subject property on the USGS Map.

The site is currently mostly vacant/idle and mainly covered by low grass/weeds, with a few isolated stands of pine and palm trees, and is bordered by properties developed with multi-family residential structures, commercial buildings, and assisted living facilities. Based on our review of readily available on-line historical aerial photographs, the northwestern portion of the site was previously occupied by two structures with associated surface parking; these structures appear to have been demolished around 2007-2008.

1.2 Project Description

Based on our conversations, we understand that you are currently in a due diligence period with respect to a potential purchase of the subject site. We further understand that, at this point, only preliminary information relative to soil types, groundwater levels, etc. is being requested.

Based on our review of the provided Conceptual Site Plan, we do understand that future site development is expected to consist of three-story townhome buildings with associated surface parking, a ± 0.5 -acre retention pond, and a clubhouse/swimming pool amenity. For this type of construction, we expect maximum wall loads of 3-5 kips per lineal foot and maximum column loads of 150 kips (if any). Further, we have assumed that 2-3 feet of fill will be necessary to raise site grades, with this fill potentially being obtained from the proposed lake.

Should our understanding of the future site development differ significantly from what is described above, we request that we be contacted and given the opportunity to review proposed development plans as they relate to the opinions expressed herein.

2.0 LIMITED FIELD EXPLORATION PROGRAM

Subsurface conditions were explored through a review of the U.S. Department of Agriculture (USDA) Web Soil Survey, through site reconnaissance, and by the performance of Standard Penetration Test (SPT) borings and shallow auger borings. Further, as requested, two soil hydraulic conductivity tests were performed. The purposes of the exploration were (1) to investigate subsurface conditions (i.e. soil types, groundwater levels, etc.) at the subject site, (2) to preliminarily obtain a measure of pertinent engineering properties of subsurface materials and (3) to present restrictions (if any) which these soil and groundwater conditions may place on the future site development.

2.1 Review of USDA Soil Survey

Based on our review of the USDA NRCS Web Soil Survey, the site is generally located in an area characterized by the Waveland and Immokalee fine sands (Map Unit 4) surficial soil type. In brief, this soil type is noted by the USDA NRCS to consist of sandy marine deposits originating from flatwoods within historic marine terraces, with fine sands and loamy sands present to depths in excess of 90 inches below grade. The approximate location of the site is shown superimposed on a copy of the USDA NRCS Web Soil Survey aerial photograph on Figure No. 1. Further, excerpts from the USDA NRCS Web Soil Survey summary report are included in Appendix I.

2.2 Field Work

The limited field exploration program consisted of performing three (3) Standard Penetration Test (SPT) borings and ten (10) hand auger borings at selected, accessible locations within the boundaries of the site. The SPT borings (ASTM D1586) were advanced to depths of 25 feet below the existing grades, and the auger borings (ASTM D1452) were advanced to depths of about 7 feet using 3-inch diameter hand (bucket) augers. In addition, two (2) soil hydraulic conductivity (exfiltration) tests were performed on the site.

Our site visits and field work were performed in the period July 14-16, 2021. The field work locations shown on Figure No. 2 were determined in the field by our field crew using the provided conceptual site plan, a hand-held GPS instrument, aerial photographs, and existing site features as references. The locations should be considered accurate only to the degree implied by the method of measurement used. We preliminarily anticipate that the actual locations are within 15 feet of those shown on Figure No. 2.

Summaries of AACE's field procedures are included in Appendix II, and the individual boring profiles are presented on the attached Sheets No. 1 and 2. Samples obtained during performance of the borings were visually classified in the field, and representative portions of the samples were transported to our laboratory in sealed sample jars for further classification. The soil samples recovered from our explorations will be kept in our laboratory for 60 days, then discarded unless you specifically request otherwise.

3.0 LABORATORY TESTING PROGRAM

Our drillers observed the soil recovered from the borings, placed the recovered soil samples in moisture proof containers, and maintained a log for each boring. The recovered soil samples, along with the field boring logs, were transported to our Port St. Lucie soils laboratory where they were visually examined by AACE's project engineer to determine their engineering classification. The visual classification of the samples was performed in general accordance with the Unified Soil Classification System, USCS. The results of our visual classifications and laboratory analyses are presented on the soil boring profiles on Sheets No. 1 and 2.

4.0 GENERAL SUBSURFACE CONDITIONS

4.1 General Soil Profile

Detailed subsurface conditions are illustrated on the soil boring profiles presented on Sheets No. 1 and 2. The stratification of the boring profiles represents our interpretation of the field boring logs and the results of laboratory examinations of the recovered samples. The stratification lines represent the approximate boundary between soil types. The actual transitions may be more gradual than implied.

In general, at the locations and depths explored, our borings encountered a thin mantle of topsoil (sands with roots/organics), followed by loose to medium dense fine sands (SP) reaching the termination depths of our borings. Further, a 2-3 ft thick stratum of hardpan-type soils was encountered in most borings within the upper 5-8 feet.

The above soil profile is outlined in general terms only; please refer to Sheets No. 1 and 2 for individual soil profile details.

4.2 Measured Groundwater Level

The groundwater table depth as encountered in the borings during the field investigations is shown adjacent to the soil profiles on the attached Sheets No. 1 and 2. As can be seen, at the time of our field work, the groundwater table was encountered at a depth of about 7 feet below the existing ground surface. Fluctuations in groundwater levels should be anticipated throughout the year primarily due to seasonal variations in rainfall and other factors that may vary from the time the borings were conducted.

4.3 Estimated Normal Seasonal High Groundwater Table

In general, the normal seasonal high groundwater table (NSHGWT) is likely during (or in the latter part of) the rainy season in South Florida, which typically ranges from June through September/October of each year. The water table elevations associated with a 100-year flood level (or during an extreme storm event) would be much higher than the normal seasonal high water table elevation. The normal seasonal high groundwater table can also be influenced by the presence of relief points such as canals, lakes, ponds, swamps, etc., as well as by the drainage characteristics of the in-situ soils.

Based upon our field explorations and laboratory examinations, measurements of the ambient groundwater levels, our review of the USDA soil survey, and considering the time of year when our explorations were performed, we estimate that the NSHGWT is about 2 feet above the levels encountered in the borings.

The estimated NSHGWT elevation does not provide any assurance that the groundwater levels will not exceed these estimated levels during any given year in the future. Drainage impediments, storm events or other such occurrences may result in groundwater levels exceeding our estimates. If a more accurate determination of the seasonal groundwater level variations on this site is prudent for the design of the project, we would recommend installing piezometers to allow for a prolonged period of groundwater monitoring.

4.4 Soil Hydraulic Conductivity Testing

Two (2) soil hydraulic conductivity tests were performed at the locations shown on Figure No. 2. In general, the tests were performed in substantial accordance with methods described in the South Florida Water Management District (SFWMD) Environmental Resource Permit Information Manual (ERPIM), Volume IV, and yielded the following results.

Soil Hydraulic Conductivity Test Results			
Test No.	Groundwater Depth (ft-bls)	Flow Rate, Q (cfs)	Hydraulic Conductivity, K (cfs/sqf - ft head)
EX-1	Not Encountered	2.0×10^{-2}	6.9×10^{-4}
EX-2	Not Encountered	1.3×10^{-2}	4.5×10^{-4}

The soil hydraulic conductivity test reports are included in Appendix III.

5.0 PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION

5.1 General

The following preliminary evaluation is based on a review of the attached soil boring profiles, our understanding of the project and its current status, and on our experience with similar projects and subsurface conditions. Once plans for development of the subject site have been finalized, the preliminary evaluation presented herein should be supplemented with additional field explorations designed specifically for the proposed construction.

5.2 Structures

In summary, it is our preliminary opinion that the soils on this site are generally adequate to support future 3-story townhome construction on conventional spread foundations or monolithic slabs following typical site preparation methods.

Overall, future site preparation procedures for this site will include clearing of the vegetation currently present on the site (making sure to fully remove stumps/roots), backfilling of craters from removed tree stumps, leveling of uneven terrain, and proofrolling of the building and parking/driveway areas with heavy vibratory compaction equipment. Once the site has been properly prepared, conventional shallow foundations or monolithic slabs proportioned for an allowable soil bearing pressure of 2,500 pounds per square foot (psf) can be used for support of future low-rise residential construction.

5.3 Pavements

The results of our preliminary exploration indicate that the subject site, if prepared properly, is typically suitable for supporting parking/drive areas using a conventional flexible pavement section with an asphaltic concrete wearing surface, a calcareous base course, and compacted, stabilized subgrade. Site preparation is anticipated to consist of the removal of organic topsoil (where encountered) and densification of near-surface soils by compacting the cleared and grubbed ground surface with conventional compaction equipment prior to the placement of embankment soils and/or pavement.

In order to reduce the potential for premature roadway distress, including base deterioration or failure, a minimum separation of 18 inches should be maintained between the estimated normal seasonal high groundwater level and the bottom of the limerock/coquina pavement base course. If this is not possible, the use of an asphaltic "black-base" (i.e. FDOT Type B-12.5) or the installation of roadway edge underdrains may be required.

5.4 Retention Pond and Use of Fill Soils (Borrow Suitability)

Based on visual examination the recovered soil samples, and on our experience from numerous similar projects the Stuart/Martin County area, we offer the following general comments with regards to the suitability of the encountered soils for use as structural fill materials:

- Organic topsoil is not considered suitable for use as any type of fill, other than in landscaped areas or other non-structural areas.
- Fine sands (SP) should be suitable to serve as fill soils and with proper moisture control should densify using conventional compaction equipment. Soils obtained from below the water table may require time to dry sufficiently. However, these materials should be suitable for relatively unrestricted use as fill and embankment.
- Most of our borings encountered a relatively shallow, thin stratum of dark brown/brown fine sands (SP) with silt fines and hardpan fragments (hardpan-type soils); this stratum may be significantly more cemented and hard in areas not explored. While hardpan is generally suitable for use as a fill material, hardpan-type soils can be challenging for several reasons:
 - ▶ Hardpan can be difficult to excavate, often requiring special equipment, especially in confined excavations such as utility trenches.
 - ▶ Excavated hardpan-type soils are often boulder-size chunks of cemented soils which are not easily broken down for re-use as structural fill.
 - ▶ When hardpan-type soils are field-pulverized into fragments that can be compacted to an adequately dense matrix, the in-place soil often fails the relative compaction test because during laboratory preparation, the soil is pulverized into smaller particles, resulting in a denser laboratory matrix than that which occurs in the field.

6.0 CLOSURE

The preliminary geotechnical evaluation submitted herein is based on the data obtained from the soil borings presented on Sheets No. 1 and 2, our understanding of the proposed project and its current status, and the assumed loading conditions previously described. Should the proposed site development differ significantly from what is described herein we request that we be notified to ensure that the preliminary recommendations presented herein are valid for the project. Additional limitations and conditions to this report are presented in Appendix IV.

This report includes the recommendation to perform additional exploratory borings within future developement areas prior to completing project plans and specifications. Specific and design-level geotechnical engineering recommendations for site preparation, grading, foundation design, pavement construction, etc. can be provided following these additional explorations.

This report has been prepared in accordance with generally accepted soil and foundation engineering practices for the exclusive use of Johnston Group Development & Construction, Inc. for the proposed subject project. No other warranty, expressed or implied, is made.

We are pleased to be of assistance to you on this phase of your project. When we may be of further service to you or should you have any questions, please contact us.

Sincerely,

ANDERSEN ANDRE CONSULTING ENGINEERS, INC.

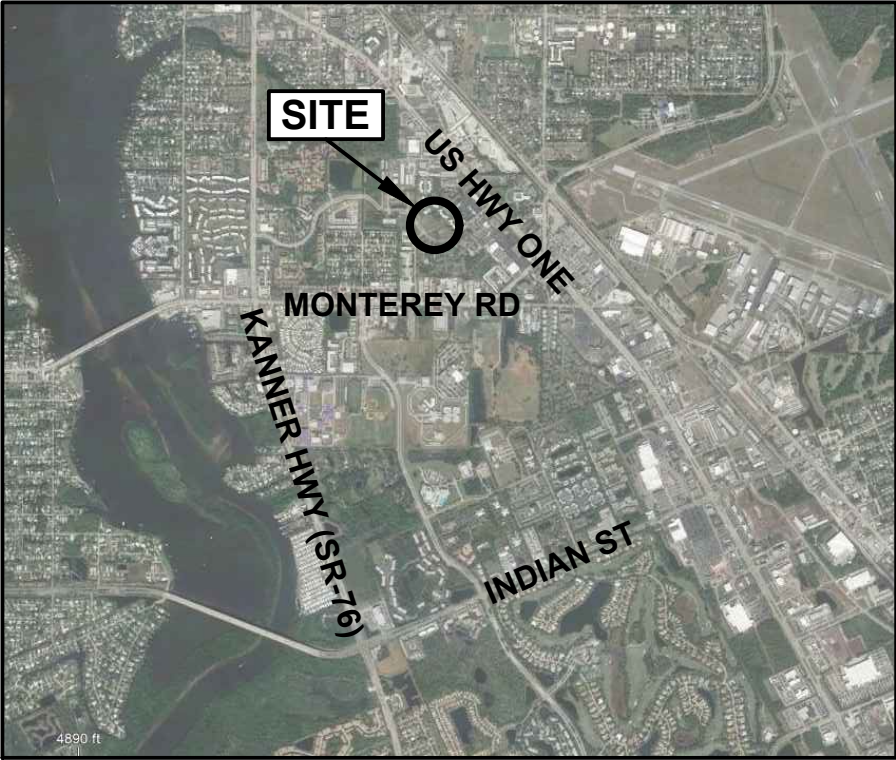

Peter G. Andersen, P.E.
Principal Engineer
Fla. Reg. No. 57956




David P. Andre, P.E.
Principal Engineer
Fla. Reg. No. 53969

7/19/21

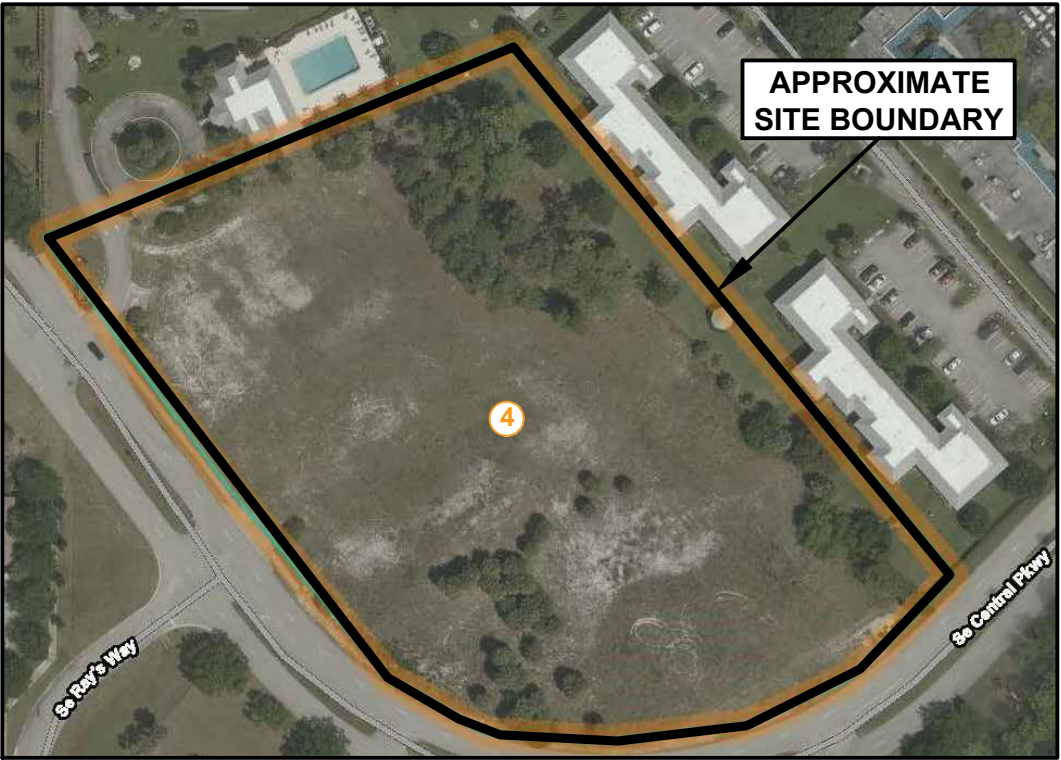
2021 AERIAL PHOTOGRAPH



2003 USGS TOPOGRAPHIC QUADRANGLE MAP OF "ST. LUCIE INLET, FL"



USDA SOIL SURVEY MAP



PUBLIC LAND SURVEY SYSTEM

Section 9, Township 38 South, Range 41 East

MARTIN COUNTY PROPERTY APPRAISER

Parcel ID 09-38-41-011-000-0000-1 (4.88 acres)

USDA NRCS SOIL TYPE WITHIN SITE BOUNDARY

4: Waveland and Immokalee fine sands



NOT TO SCALE

Graphical sources:

- Google Earth Pro
- QUADS/Earth Survey
- USDA NRCS Web Soil Survey



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834 SW Swan Avenue, Port St. Lucie, FL 34983 772-807-9191 www.AACEinc.com

SITE VICINITY MAPS

LIMITED SUBSURFACE SOIL EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
751 SE CENTRAL PARKWAY
STUART, MARTIN COUNTY, FLORIDA

Drawn by: PGA

Date: July 2021

Checked by: DPA

Date: July 2021

AACE File No: 21-222

Figure No. 1



LEGEND

- TB-#**
Standard Penetration Test Boring
- ##**
Hand Auger Boring (HAB-#)
- EX-#**
Exfiltration Test

NOTES

Shown and noted field work locations are approximate, and were located using the provided site plan, aerial photographs, existing site features, and a hand-held GPS instrument. Atmospheric disturbances, forest canopy cover, local weather conditions, etc. may affect the accuracy of the GPS instrument readings. The shown field work locations should be considered accurate only to the degree implied by the method of measurement used.



NOT TO SCALE

Graphical sources:
- Google Earth Pro
- Conceptual Site Plan provided by Johnston Group



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FIELD WORK LOCATION PLAN

LIMITED SUBSURFACE EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
751 S. US HWY 1, SUITE 200
STUART, MARTIN COUNTY, FLORIDA

Drawn by: PGA

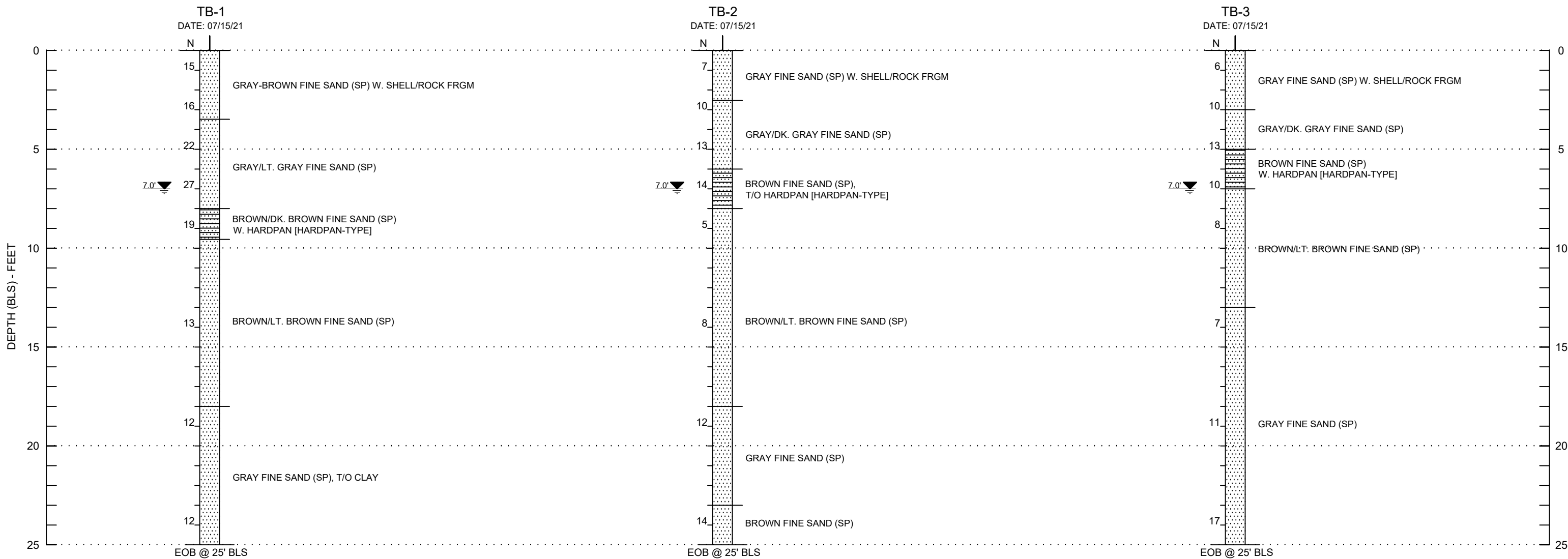
Checked by: DPA

AACE File No: 21-220

Date: July 2021

Date: July 2021

Figure No. 2



SOIL GRAPHICAL LEGEND:

- FINE SAND (SP)
- FINE SAND (SP) WITH OR WITH TRACES OF HARDPAN [HARDPAN-TYPE SOILS]

NOTE: 3"-6" of topsoil (sands w. roots/organics) encountered in most borings (not shown on boring profiles)

DRILLING NOTES:

TB-#	STANDARD PENETRATION TEST [SPT] BORING (ASTM D1586)	DRILL CREW CHIEF: DB
N	SPT RESISTANCE IN BLOWS PER FOOT	DRILL RIG: CME-45
HAB-#	HAND AUGER BORING (ASTM D1452)	DRILLING METHOD: ROTARY-WASH/BENTONITE SLURRY
	GROUNDWATER TABLE (FT-BLS) AT TIME OF DRILLING	CASING: NONE
GWT N.E.	GROUNDWATER TABLE NOT ENCOUNTERED	SPLIT-SPOON SAMPLER:
EOB	END OF BORING	LENGTH: 24"
BLS	BELOW LAND SURFACE	OUTSIDE DIAMETER: 2.0"
FRGM	FRAGMENTS	SPT HAMMER:
		AVERAGE DROP: 30"
		WEIGHT: 140 LBS
		TYPE: SAFETY/MANUAL
SP	UNIFIED SOIL CLASSIFICATION SYSTEM [USCS]	
	USCS GROUPS DETERMINED BY VISUAL CLASSIFICATION EXCEPT FOR NOTED LABORATORY TESTS	
MC	NATURAL MOISTURE CONTENT IN PERCENT (ASTM D2216)	
-200	PERCENT FINES PASSING THE NO. 200 SIEVE (ASTM D1140)	



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SOIL BORING PROFILES

LIMITED SUBSURFACE SOIL EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
751 SE CENTRAL PARKWAY
STUART, MARTIN COUNTY, FLORIDA

Drawn by: PGA

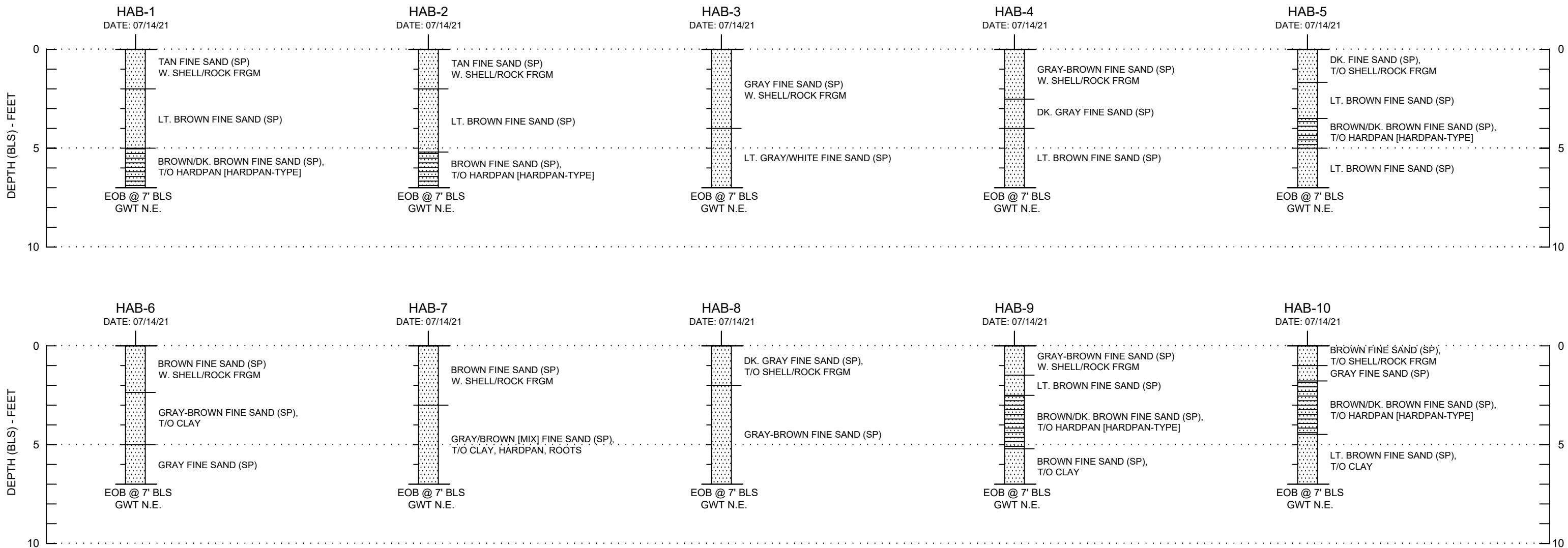
Date: July 2021

Checked by: DPA

Date: July 2021

AACE File No: 21-222

Sheet No. 1



SOIL GRAPHICAL LEGEND:

-  FINE SAND (SP)
-  FINE SAND (SP) WITH OR WITH TRACES OF HARDPAN [HARDPAN-TYPE SOILS]

NOTE: 3"-6" of topsoil (sands w. roots/organics) encountered in most borings (not shown on boring profiles)

DRILLING NOTES:

TB-#	STANDARD PENETRATION TEST [SPT] BORING (ASTM D1586)	DRILL CREW CHIEF: DB
N	SPT RESISTANCE IN BLOWS PER FOOT	DRILL RIG: CME-45
HAB-#	HAND AUGER BORING (ASTM D1452)	DRILLING METHOD: ROTARY-WASH/BENTONITE SLURRY
xx	GROUNDWATER TABLE (FT-BLS) AT TIME OF DRILLING	CASING: NONE
GWT N.E.	GROUNDWATER TABLE NOT ENCOUNTERED	SPLIT-SPOON SAMPLER:
EOB	END OF BORING	LENGTH: 24"
BLS	BELOW LAND SURFACE	OUTSIDE DIAMETER: 2.0"
FRGM	FRAGMENTS	SPT HAMMER:
		AVERAGE DROP: 30"
		WEIGHT: 140 LBS
		TYPE: SAFETY/MANUAL
SP	UNIFIED SOIL CLASSIFICATION SYSTEM [USCS] USCS GROUPS DETERMINED BY VISUAL CLASSIFICATION EXCEPT FOR NOTED LABORATORY TESTS	
MC	NATURAL MOISTURE CONTENT IN PERCENT (ASTM D2216)	
-200	PERCENT FINES PASSING THE NO. 200 SIEVE (ASTM D1140)	



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SOIL BORING PROFILES

LIMITED SUBSURFACE SOIL EXPLORATION AND
PRELIMINARY GEOTECHNICAL ENGINEERING EVALUATION
751 SE CENTRAL PARKWAY
STUART, MARTIN COUNTY, FLORIDA

Drawn by: PGA

Date: July 2021

Checked by: DPA

Date: July 2021

AACE File No: 21-222

Sheet No. 3

APPENDIX I

USDA NRCS Web Soil Survey Summary Report



United States
Department of
Agriculture

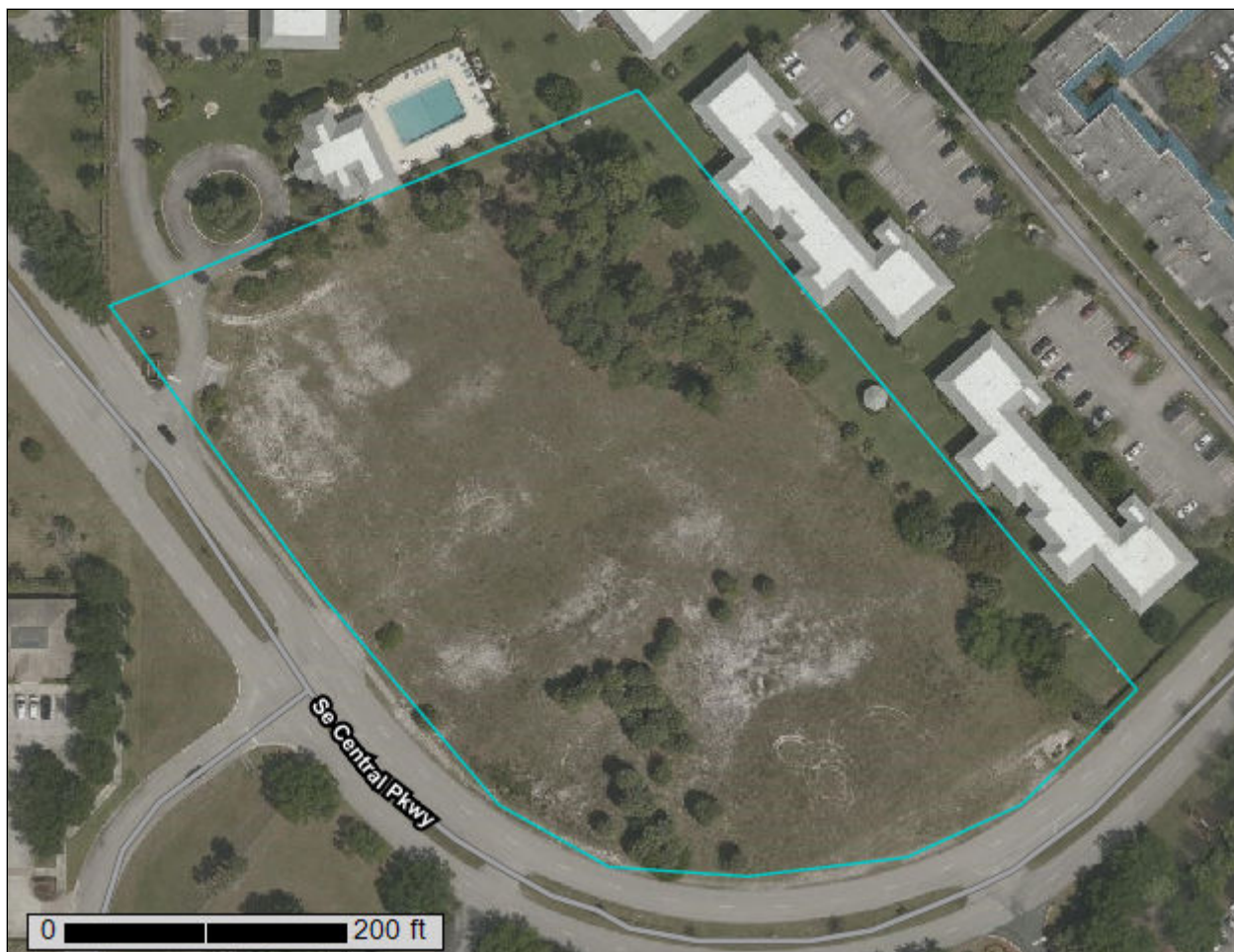
NRCS

Natural
Resources
Conservation
Service

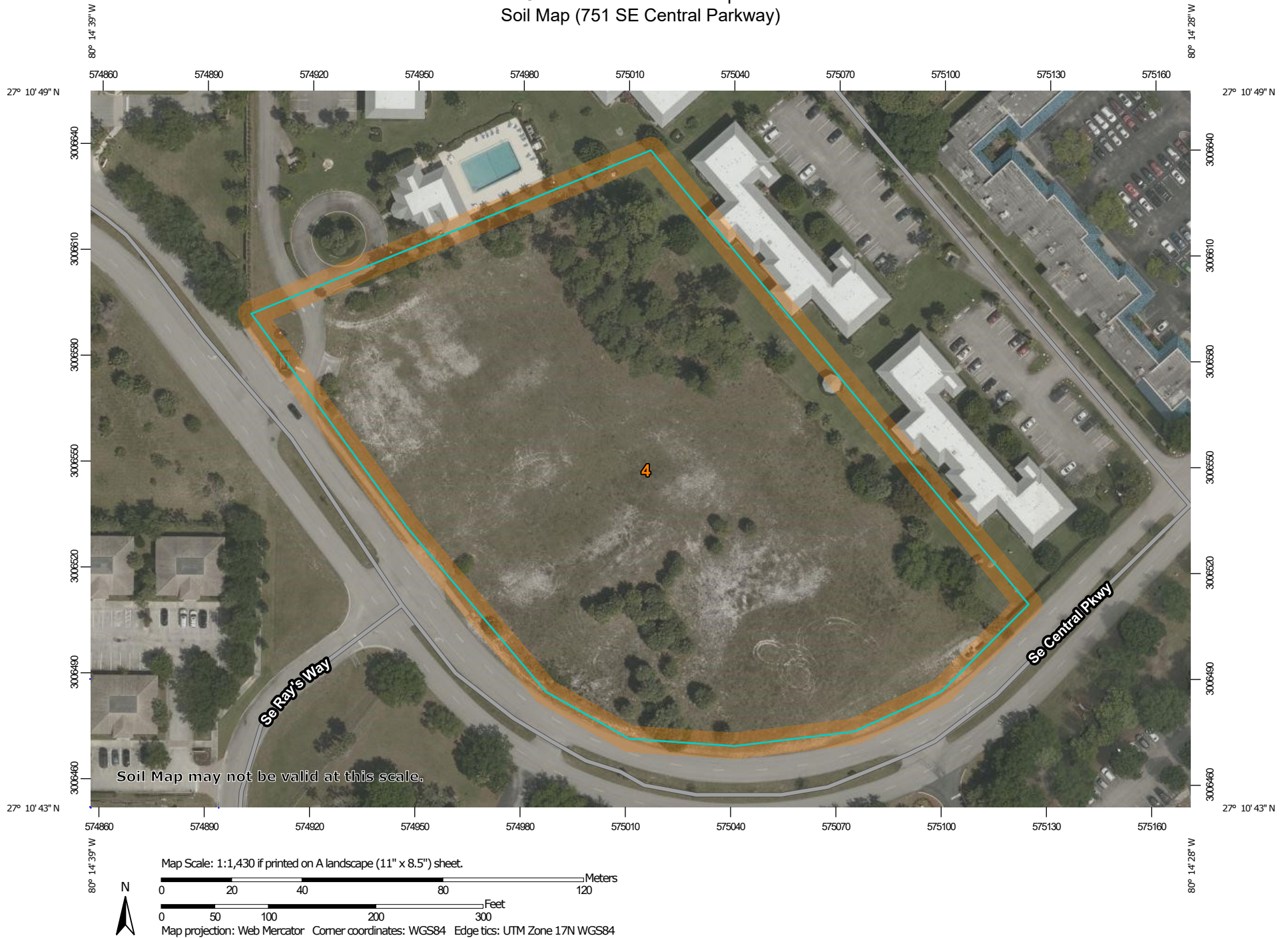
A product of the National
Cooperative Soil Survey,
a joint effort of the United
States Department of
Agriculture and other
Federal agencies, State
agencies including the
Agricultural Experiment
Stations, and local
participants

Custom Soil Resource Report for **Martin County, Florida**

751 SE Central Parkway



Custom Soil Resource Report
Soil Map (751 SE Central Parkway)



MAP LEGEND

Area of Interest (AOI)

 Area of Interest (AOI)

Soils

 Soil Map Unit Polygons

 Soil Map Unit Lines

 Soil Map Unit Points

Special Point Features

 Blowout

 Borrow Pit

 Clay Spot

 Closed Depression

 Gravel Pit

 Gravelly Spot

 Landfill

 Lava Flow

 Marsh or swamp

 Mine or Quarry

 Miscellaneous Water

 Perennial Water

 Rock Outcrop

 Saline Spot

 Sandy Spot

 Severely Eroded Spot

 Sinkhole

 Slide or Slip

 Sodic Spot

 Spoil Area

 Stony Spot

 Very Stony Spot

 Wet Spot

 Other

 Special Line Features

Water Features

 Streams and Canals

Transportation

 Rails

 Interstate Highways

 US Routes

 Major Roads

 Local Roads

Background

 Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:20,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Martin County, Florida
Survey Area Data: Version 19, Jun 9, 2020

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Mar 8, 2019—Mar 28, 2019

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend (751 SE Central Parkway)

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
4	Waveland and Immokalee fine sands	5.2	100.0%
Totals for Area of Interest		5.2	100.0%

Map Unit Descriptions (751 SE Central Parkway)

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however,

onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Martin County, Florida

4—Waveland and Immokalee fine sands

Map Unit Setting

National map unit symbol: 1jq7n
Elevation: 0 to 80 feet
Mean annual precipitation: 56 to 64 inches
Mean annual air temperature: 72 to 79 degrees F
Frost-free period: 350 to 365 days
Farmland classification: Farmland of unique importance

Map Unit Composition

Waveland and similar soils: 41 percent
Immokalee and similar soils: 39 percent
Minor components: 20 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Waveland

Setting

Landform: Flatwoods on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Parent material: Sandy marine deposits

Typical profile

A - 0 to 4 inches: fine sand
Eg - 4 to 43 inches: fine sand
Bh1 - 43 to 47 inches: fine sand
Bh2 - 47 to 77 inches: loamy fine sand
Cg1 - 77 to 91 inches: fine sand
Cg2 - 91 to 99 inches: fine sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: 30 to 50 inches to ortstein
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately low to moderately high (0.06 to 0.20 in/hr)
Depth to water table: About 6 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Very low (about 1.0 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: A/D
Forage suitability group: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL)

Custom Soil Resource Report

Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

Description of Immokalee

Setting

Landform: Flatwoods on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Convex
Across-slope shape: Linear
Parent material: Sandy marine deposits

Typical profile

A - 0 to 6 inches: fine sand
E - 6 to 35 inches: fine sand
Bh - 35 to 54 inches: fine sand
BC - 54 to 80 inches: fine sand

Properties and qualities

Slope: 0 to 2 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Poorly drained
Runoff class: High
Capacity of the most limiting layer to transmit water (Ksat): Moderately high to high (0.57 to 1.98 in/hr)
Depth to water table: About 6 to 18 inches
Frequency of flooding: None
Frequency of ponding: None
Maximum salinity: Nonsaline to very slightly saline (0.0 to 2.0 mmhos/cm)
Sodium adsorption ratio, maximum: 4.0
Available water capacity: Low (about 5.3 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 4w
Hydrologic Soil Group: B/D
Forage suitability group: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL)
Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

Minor Components

Lawnwood

Percent of map unit: 4 percent
Landform: Marine terraces on flatwoods
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

Basinger

Percent of map unit: 4 percent

Custom Soil Resource Report

Landform: Drainageways on marine terraces
Landform position (three-dimensional): Dip
Down-slope shape: Linear
Across-slope shape: Concave
Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), Slough (R156BY011FL)
Hydric soil rating: Yes

Nettles

Percent of map unit: 3 percent
Landform: Flatwoods on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

Salerno

Percent of map unit: 3 percent
Landform: Flatwoods on marine terraces
Landform position (three-dimensional): Talf
Down-slope shape: Linear
Across-slope shape: Linear
Other vegetative classification: Sandy soils on flats of mesic or hydric lowlands (G156BC141FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

Placid

Percent of map unit: 3 percent
Landform: Depressions on marine terraces
Landform position (three-dimensional): Dip
Down-slope shape: Concave
Across-slope shape: Concave
Other vegetative classification: Sandy soils on stream terraces, flood plains, or in depressions (G156BC145FL), Freshwater Marshes and Ponds (R156BY010FL)
Hydric soil rating: Yes

Jonathan

Percent of map unit: 3 percent
Landform: Rises on marine terraces
Landform position (three-dimensional): Interfluve
Down-slope shape: Convex
Across-slope shape: Linear
Other vegetative classification: Sandy soils on rises, knolls, and ridges of mesic uplands (G156BC121FL), South Florida Flatwoods (R156BY003FL)
Hydric soil rating: No

APPENDIX II

General Notes

ANDERSEN ANDRE CONSULTING ENGINEERS, INC.
SOIL BORING, SAMPLING AND TESTING METHODS

GENERAL

Andersen Andre Consulting Engineers, Inc. (AACE) borings describe subsurface conditions only at the locations drilled and at the time drilled. They provide no information about subsurface conditions below the bottom of the boreholes. At locations not explored, surface conditions that differ from those observed in the borings may exist and should be anticipated.

The information reported on our boring logs is based on our drillers' logs and on visual examination in our laboratory of disturbed soil samples recovered from the borings. The distinction shown on the logs between soil types is approximate only. The actual transition from one soil to another may be gradual and indistinct.

The groundwater depth shown on our boring logs is the water level the driller observed in the borehole when it was drilled. These water levels may have been influenced by the drilling procedures, especially in borings made by rotary drilling with bentonitic drilling mud. An accurate determination of groundwater level requires long-term observation of suitable monitoring wells. Fluctuations in groundwater levels throughout the year should be anticipated.

The absence of a groundwater level on certain logs indicates that no groundwater data is available. It does not mean that groundwater will not be encountered at that boring location at some other point in time.

STANDARD PENETRATION TEST

The Standard Penetration Test (SPT) is a widely accepted method of in situ testing of foundation soils (ASTM D-1586). A 2-foot (0.6m) long, 2-inch (50mm) O.D. split-barrell sampler attached to the end of a string of drilling rods is driven 24 inches (0.60m) into the ground by successive blows of a 140-pound (63.5 Kg) hammer freely dropping 30 inches (0.76m). The number of blows needed for each 6 inches (0.15m) increments penetration is recorded. The sum of the blows required for penetration of the middle two 6-inch (0.15m) increments of penetration constitutes the test result of N-value. After the test, the sampler is extracted from the ground and opened to allow visual description of the retained soil sample. The N-value has been empirically correlated with various soil properties allowing a conservative estimate of the behavior of soils under load. The following tables relate N-values to a qualitative description of soil density and, for cohesive soils, an approximate unconfined compressive strength (Q_u):

Cohesionless Soils:	<u>N-Value</u>	<u>Description</u>
	0 to 4	Very loose
	4 to 10	Loose
	10 to 30	Medium dense
	30 to 50	Dense
	Above 50	Very dense

Cohesive Soils:	<u>N-Value</u>	<u>Description</u>	<u>Qu</u>
	0 to 2	Very soft	Below 0.25 tsf (25 kPa)
	2 to 4	Soft	0.25 to 0.50 tsf (25 to 50 kPa)
	4 to 8	Medium stiff	0.50 to 1.0 tsf (50 to 100 kPa)
	8 to 15	Stiff	1.0 to 2.0 tsf (100 to 200 kPa)
	15 to 30	Very stiff	2.0 to 4.0 tsf (200 to 400 kPa)
	Above 30	Hard	Above 4.0 tsf (400 kPa)

The tests are usually performed at 5 foot (1.5m) intervals. However, more frequent or continuous testing is done by AACE through depths where a more accurate definition of the soils is required. The test holes are advanced to the test elevations by rotary drilling with a cutting bit, using circulating fluid to remove the cuttings and hold the fine grains in suspension. The circulating fluid, which is bentonitic drilling mud, is also used to keep the hole open below the water table by maintaining an excess hydrostatic pressure inside the hole. In some soil deposits, particularly highly pervious ones, flush-coupled casing must be driven to just above the testing depth to keep the hole open and/or prevent the loss of circulating fluid. After completion of a test borings, the hole is kept open until a steady state groundwater level is recorded. The hole is then sealed by backfilling, either with accumulated cuttings or lean cement.

Representative split-spoon samples from each sampling interval and from different strata are brought to our laboratory in air-tight jars for classification and testing, if necessary. Afterwards, the samples are discarded unless prior arrangement have been made.

POWER AUGER BORINGS

Auger borings (ASTM D-1452) are used when a relatively large, continuous sampling of soil strata close to the ground surface is desired. A 4-inch (100 mm) diameter, continuous flight, helical auger with a cutting head at its end is screwed into the ground in 5-foot (1.5m) sections. It is powered by the rotary drill rig. The sample is recovered by withdrawing the auger out of the ground without rotating it. The soil sample so obtained, is classified in the field and representative samples placed in bags or jars and returned to the AACE soils laboratory for classification and testing, if necessary.

HAND AUGER BORINGS

Hand auger borings are used, if soil conditions are favorable, when the soil strata are to be determined within a shallow (approximately 5-foot [1.5m]) depth or when access is not available to power drilling equipment. A 3-inch (75mm) diameter hand bucket auger with a cutting head is simultaneously turned and pressed into the ground. The bucket auger is retrieved at approximately 6-inch (0.15m) interval and its contents emptied for inspection. On occasion post-hole diggers are used, especially in the upper 3 feet (1m) or so. Penetrometer probings can be used in the upper 5 feet (1.5m) to determine the relative density of the soils. The soil sample obtained is described and representative samples put in bags or jars and transported to the AACE soils laboratory for classification and testing, if necessary.

UNDISTURBED SAMPLING

Undisturbed sampling (ASTM D-1587) implies the recovery of soil samples in a state as close to their natural condition as possible. Complete preservation of in situ conditions cannot be realized; however, with careful handling and proper sampling techniques, disturbance during sampling can be minimized for most geotechnical engineering purposes. Testing of undisturbed samples gives a more accurate estimate of in situ behavior than is possible with disturbed samples.

Normally, we obtain undisturbed samples by pushing a 2.875-inch (73 mm) I.D., thin wall seamless steel tube 24 inches (0.6 m) into the soil with a single stroke of a hydraulic ram. The sampler, which is a Shelby tube, is 30 (0.8 m) inches long. After the sampler is retrieved, the ends are sealed in the field and it is transported to our laboratory for visual description and testing, as needed.

ROCK CORING

In case rock strata is encountered and rock strength/continuity/composition information is needed for foundation or mining purposes, the rock can be cored (ASTM D-2113) and 2-inch to 4-inch diameter rock core samples be obtained for further laboratory analyses. The rock coring is performed through flush-joint steel casing temporarily installed through the overburden soils above the rock formation and also installed into the rock. The double- or triple-tube core barrels are advanced into the rock typically in 5-foot intervals and then retrieved to the surface. The barrel is then opened so that the core sample can be extruded. Preliminary field measurements of the recovered rock cores include percent recovery and Rock Quality Designation (RQD) values. The rock cores are placed in secure core boxes and then transported to our laboratory for further inspection and testing, as needed.

SFWMD EXFILTRATION TESTS

In order to estimate the hydraulic conductivity of the upper soils, constant head or falling head exfiltration tests can be performed. These tests are performed in accordance with methods described in the South Florida Water Management District (SFWMD) Permit Information Manual, Volume IV. In brief, a 6 to 9 inch diameter hole is augered to depths of about 5 to 7 feet; the bottom one foot is filled with 57-stone; and a 6-foot long slotted PVC pipe is lowered into the hole. The distance from the groundwater table and to the ground surface is recorded and the hole is then saturated for 10 minutes with the water level maintained at the ground surface.

If a constant head test is performed, the rate of pumping will be recorded at fixed intervals of 1 minute for a total of 10 minutes, following the saturation period.

LABORATORY TEST METHODS

Soil samples returned to the AACE soils laboratory are visually observed by a geotechnical engineer or a trained technician to obtain more accurate description of the soil strata. Laboratory testing is performed on selected samples as deemed necessary to aid in soil classification and to help define engineering properties of the soils. The test results are presented on the soil boring logs at the depths at which the respective sample was recovered, except that grain size distributions or selected other test results may be presented on separate tables, figures or plates as discussed in this report.

THE PROJECT SOIL DESCRIPTION PROCEDURE FOR SOUTHEAST FLORIDA

CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES

The soil descriptions shown on the logs are based upon visual-manual procedures in accordance with local practice. Soil classification is performed in general accordance with the United Soil Classification System and is also based on visual-manual procedures.

BOULDERS (>12" [300 MM]) and COBBLES (3" [75 MM] TO 12" [300 MM]):

GRAVEL: Coarse Gravel: 3/4" (19 mm) to 3" (75 mm)
 Fine Gravel: No. 4 (4.75 mm) Sieve to 3/4" (19 mm)

Descriptive adjectives:

0 - 5%	– no mention of gravel in description
5 - 15%	– trace
15 - 29%	– some
30 - 49%	– gravelly (shell, limerock, cemented sands)

SANDS:

COARSE SAND: No. 10 (2 mm) Sieve to No. 4 (4.75 mm) Sieve
 MEDIUM SAND: No. 40 (425 µm) Sieve to No. 10 (2 mm) Sieve
 FINE SAND: No. 200 (75 µm) Sieve to No. 40 (425 µm) Sieve

Descriptive adjectives:

0 - 5%	– no mention of sand in description
5 - 15%	– trace
15 - 29%	– some
30 - 49%	– sandy

SILT/CLAY: < #200 (75µM) Sieve

SILTY OR SILT: $PI < 4$
 SILTY CLAYEY OR SILTY CLAY: $4 \leq PI \leq 7$
 CLAYEY OR CLAY: $PI > 7$

Descriptive adjectives:

< - 5%	– clean (no mention of silt or clay in description)
5 - 15%	– slightly
16 - 35%	– clayey, silty, or silty clayey
36 - 49%	– very

ORGANIC SOILS:

Organic Content	Descriptive Adjectives	Classification
0 - 2.5%	Usually no mention of organics in description	See Above
2.6 - 5%	slightly organic	add "with organic fines" to group name
5 - 30%	organic	SM with organic fines Organic Silt (OL) Organic Clay (OL) Organic Silt (OH)

THE PROJECT SOIL DESCRIPTION PROCEDURE FOR SOUTHEAST FLORIDA

CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES

Organic Clay (OH)

HIGHLY ORGANIC SOILS AND MATTER:

Organic Content	Descriptive Adjectives	Classification
30 - 75%	sandy peat	Peat (PT)
	silty peat	Peat (PT)
> 75%	amorphous peat	Peat (PT)
	fibrous peat	Peat (PT)

STRATIFICATION AND STRUCTURE:

<u>Descriptive Term</u>		<u>Thickness</u>
with interbedded		
seam	--	less than ½ inch (13 mm) thick
layer	--	½ to 12-inches (300 mm) thick
stratum	--	more than 12-inches (300 mm) thick
pocket	--	small, erratic deposit, usually less than 1-foot
lens	--	lenticular deposits
occasional	--	one or less per foot of thickness
frequent	--	more than one per foot of thickness
calcareous	--	containing calcium carbonate (reaction to diluted HCL)
hardpan	--	spodic horizon usually medium dense
marl	--	mixture of carbonate clays, silts, shells and sands

ROCK CLASSIFICATION (FLORIDA) CHART:

<u>Symbol</u>	<u>Typical Description</u>
LS	Hard Bedded Limestone or Caprock
WLS	Fractured or Weathered Limestone
LR	Limerock (gravel, sand, silt and clay mixture)
SLS	Stratified Limestone and Soils

THE PROJECT SOIL DESCRIPTION PROCEDURE FOR SOUTHEAST FLORIDA
CLASSIFICATION OF SOILS FOR ENGINEERING PURPOSES

LEGEND FOR BORING LOGS

N:	Number of blows to drive a 2-inch OD split spoon sampler 12 inches using a 140-pound hammer dropped 30 inches
R:	Refusal (less than six inches advance of the split spoon after 50 hammer blows)
MC:	Moisture content (percent of dry weight)
OC:	Organic content (percent of dry weight)
PL:	Moisture content at the plastic limit
LL:	Moisture content at the liquid limit
PI:	Plasticity index (LL-PL)
qu:	Unconfined compressive strength (tons per square foot, unless otherwise noted)
-200:	Percent passing a No. 200 sieve (200 wash)
+40:	Percent retained above a No. 40 sieve
US:	Undisturbed sample obtained with a thin-wall Shelby tube
k:	Permeability (feet per minute, unless otherwise noted)
DD:	Dry density (pounds per cubic foot)
TW:	Total unit weight (pounds per cubic foot)

APPENDIX III

Soil Hydraulic Conductivity Test Reports

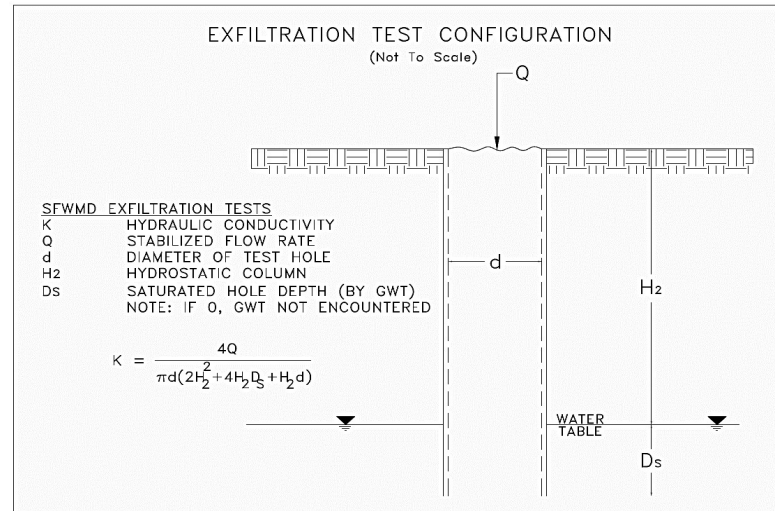


ANDERSEN ANDRE CONSULTING ENGINEERS, INC.

SFWMD Usual Open Hole Test

Test Number	EX-1	Project Name	751 SE Central Parkway	Weather Conditions	Overcast
		Project Number	21-222	Temperature	87F
		Test Location	Refer to Figure No. 2	Technician	RL/MM
		Date	07/16/2021	Engineer	PA

DIAMETER OF TEST HOLE (FEET): $d =$	0.5
DEPTH OF TEST HOLE (FEET): $H_1 =$	6
DEPTH TO WATER TABLE (FEET): $H_2 =$	6 (+)
SATURATED HOLE DEPTH (FEET): $D_s =$	0
METER READING (Gallons): $V_i =$	0 @ 0.00 MIN
METER READING (Gallons): $V_f =$	91 @ 10.00 MIN
AVERAGE FLOW RATE (GPM):	9.10
"STABILIZED" FLOW RATE (CFS): $Q =$	2.0E-02
HYDRAULIC CONDUCTIVITY (CFS / FT ² - FT. HEAD): $K =$	6.9E-04



Soil Profile	
Depth (in-bls)	Description
0 - 24	Light brown fine sand (SP) w. shell/rock fragments
24 - 65	Gray-brown fine sand (SP)
65 - 72	Dark brown fine sand (SP) w. hardpan [hardpan-type]
Groundwater not encountered	

NOTES:

The hydraulic conductivity test was performed in general accordance with the methods described in the South Florida Water Management District (SFWMD) Environmental Resource Permit Information Manual (Volume IV).
 The K-value was calculated based on the exfiltration test procedure as shown hereon.
 The presented hydraulic conductivity (K) value is applicable for an exfiltration trench installed at the same depth as the borehole test. The K-value represents an ultimate value. The designer should decide on the required factor of safety (minimum of 2, per SFWMD).

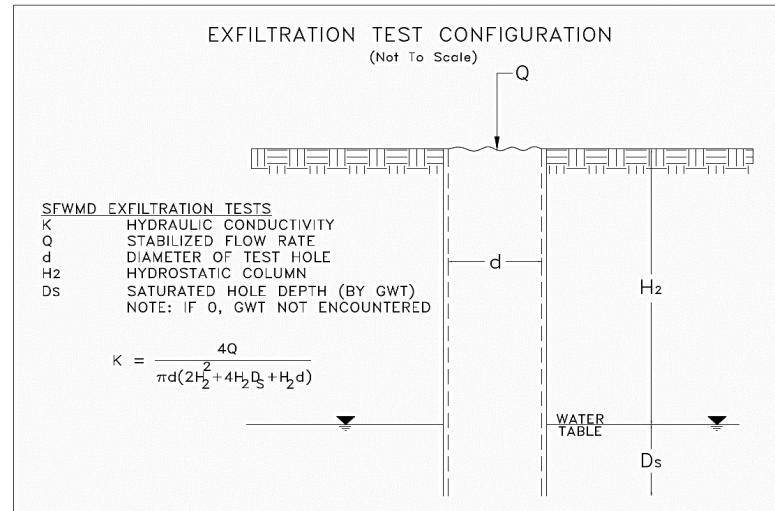


ANDERSEN ANDRE CONSULTING ENGINEERS, INC.

SFWMD Usual Open Hole Test

Test Number	EX-2	Project Name	751 SE Central Parkway	Weather Conditions	Overcast
		Project Number	21-222	Temperature	87F
		Test Location	Refer to Figure No. 2	Technician	RL/MM
		Date	07/16/2021	Engineer	PA

DIAMETER OF TEST HOLE (FEET): $d =$	0.5
DEPTH OF TEST HOLE (FEET): $H_1 =$	6
DEPTH TO WATER TABLE (FEET): $H_2 =$	6 (+)
SATURATED HOLE DEPTH (FEET): $D_s =$	0
METER READING (Gallons): $V_i =$	0 @ 0.00 MIN
METER READING (Gallons): $V_f =$	59 @ 10.00 MIN
AVERAGE FLOW RATE (GPM) =	5.90
"STABILIZED" FLOW RATE (CFS): $Q =$	1.3E-02
HYDRAULIC CONDUCTIVITY (CFS / FT ² - FT. HEAD): $K =$	4.5E-04



Soil Profile	
Depth (in-bls)	Description
0 - 20	Light brown fine sand (SP), t/o shell/rock fragments
20 - 44	Gray fine sand (SP)
44 - 60	Dark brown fine sand (SP) w. hardpan [hardpan-type]
60 - 72	Tan fine sand (SP)
Groundwater not encountered	

NOTES:

The hydraulic conductivity test was performed in general accordance with the methods described in the South Florida Water Management District (SFWMD) Environmental Resource Permit Information Manual (Volume IV).
The K-value was calculated based on the exfiltration test procedure as shown hereon.
The presented hydraulic conductivity (K) value is applicable for an exfiltration trench installed at the same depth as the borehole test. The K-value represents an ultimate value. The designer should decide on the required factor of safety (minimum of 2, per SFWMD).

APPENDIX IV

AACE Project Limitations and Conditions

ANDERSEN ANDRE CONSULTING ENGINEERS, INC.

Project Limitations and Conditions

Andersen Andre Consulting Engineers, Inc. has prepared this report for our client for his exclusive use, in accordance with generally accepted soil and foundation engineering practices. No other warranty, expressed or implied, is made herein. Further, the report, in all cases, is subject to the following limitations and conditions:

VARIABLE/UNANTICIPATED SUBSURFACE CONDITIONS

The engineering analysis, evaluation and subsequent recommendations presented herein are based on the data obtained from our field explorations, at the specific locations explored on the dates indicated in the report. This report does not reflect any subsurface variations (e.g. soil types, groundwater levels, etc.) which may occur adjacent or between borings.

The nature and extent of any such variations may not become evident until construction/excavation commences. In the event such variations are encountered, Andersen Andre Consulting Engineers, Inc. may find it necessary to (1) perform additional subsurface explorations, (2) conduct in-the-field observations of encountered variations, and/or re-evaluate the conclusions and recommendations presented herein.

We at Andersen Andre Consulting Engineers, Inc. recommend that the project specifications necessitate the contractor immediately notifying Andersen Andre Consulting Engineers, Inc., the owner and the design engineer (if applicable) if subsurface conditions are encountered that are different from those presented in this report.

No claim by the contractor for any conditions differing from those expected in the plans and specifications, or presented in this report, should be allowed unless the contractor notifies the owner and Andersen Andre Consulting Engineers, Inc. of such differing site conditions. Additionally, we recommend that all foundation work and site improvements be observed by a Andersen Andre Consulting Engineers, Inc. representative.

SOIL STRATA CHANGES

Soil strata changes are indicated by a horizontal line on the soil boring profiles (boring logs) presented within this report. However, the actual strata change may be more gradual and indistinct. Where changes occur between soil samples, the locations of the changes must be estimated using the available information and may not be at the exact depth indicated.

SINKHOLE POTENTIAL

Unless specifically requested in writing, a subsurface exploration performed by Andersen Andre Consulting Engineers, Inc. is not intended to be an evaluation for sinkhole potential.

MISINTERPRETATION OF SUBSURFACE SOIL EXPLORATION REPORT

Andersen Andre Consulting Engineers, Inc. is responsible for the conclusions and recommendations presented herein, based upon the subsurface data obtained during this project. If others render conclusions or opinions, or make recommendations based upon the data presented in this report, those conclusions, opinions and/or recommendations are not the responsibility of Andersen Andre Consulting Engineers, Inc.

CHANGED STRUCTURE OR LOCATION

This report was prepared to assist the owner, architect and/or civil engineer in the design of the subject project. If any changes in the construction, design and/or location of the structures as discussed in this report are planned, or if any structures are included or added that are not discussed in this report, the conclusions and recommendations contained in this report may not be valid. All such changes in the project plans should be made known to Andersen Andre Consulting Engineers, Inc. for our subsequent re-evaluation.

USE OF REPORT BY BIDDERS

Bidders who are reviewing this report prior to submission of a bid are cautioned that this report was prepared to assist the owners and project designers. Bidders should coordinate their own subsurface explorations (e.g.; soil borings, test pits, etc.) for the purpose of determining any conditions that may affect construction operations. Andersen Andre Consulting Engineers, Inc. cannot be held responsible for any interpretations made using this report or the attached boring logs with regard to their adequacy in reflecting subsurface conditions which may affect construction operations.

IN-THE-FIELD OBSERVATIONS

Andersen Andre Consulting Engineers, Inc. attempts to identify subsurface conditions, including soil stratigraphy, water levels, zones of lost circulation, “hard” or “soft” drilling, subsurface obstructions, etc. However, lack of mention in the report does not preclude the presence of such conditions.

LOCATION OF BURIED OBJECTS

Users of this report are cautioned that there was no requirement for Andersen Andre Consulting Engineers, Inc. to attempt to locate any man-made, underground objects during the course of this exploration, and that no attempts to locate any such objects were performed. Andersen Andre Consulting Engineers, Inc. cannot be responsible for any buried man-made objects which are subsequently encountered during construction.

PASSAGE OF TIME

This report reflects subsurface conditions that were encountered at the time/date indicated in the report. Significant changes can occur at the site during the passage of time. The user of the report recognizes the inherent risk in using the information presented herein after a reasonable amount of time has passed. We recommend the user of the report contact Andersen Andre Consulting Engineers, Inc. with any questions or concerns regarding this issue.

Important Information about Your Geotechnical Engineering Report

Subsurface problems are a principal cause of construction delays, cost overruns, claims, and disputes.

While you cannot eliminate all such risks, you can manage them. The following information is provided to help.

Geotechnical Services Are Performed for Specific Purposes, Persons, and Projects

Geotechnical engineers structure their services to meet the specific needs of their clients. A geotechnical engineering study conducted for a civil engineer may not fulfill the needs of a construction contractor or even another civil engineer. Because each geotechnical engineering study is unique, each geotechnical engineering report is unique, prepared *solely* for the client. No one except you should rely on your geotechnical engineering report without first conferring with the geotechnical engineer who prepared it. *And no one — not even you — should apply the report for any purpose or project except the one originally contemplated.*

Read the Full Report

Serious problems have occurred because those relying on a geotechnical engineering report did not read it all. Do not rely on an executive summary. Do not read selected elements only.

A Geotechnical Engineering Report Is Based on A Unique Set of Project-Specific Factors

Geotechnical engineers consider a number of unique, project-specific factors when establishing the scope of a study. Typical factors include: the client's goals, objectives, and risk management preferences; the general nature of the structure involved, its size, and configuration; the location of the structure on the site; and other planned or existing site improvements, such as access roads, parking lots, and underground utilities. Unless the geotechnical engineer who conducted the study specifically indicates otherwise, do not rely on a geotechnical engineering report that was:

- not prepared for you,
- not prepared for your project,
- not prepared for the specific site explored, or
- completed before important project changes were made.

Typical changes that can erode the reliability of an existing geotechnical engineering report include those that affect:

- the function of the proposed structure, as when it's changed from a parking garage to an office building, or from a light industrial plant to a refrigerated warehouse,

- elevation, configuration, location, orientation, or weight of the proposed structure,
- composition of the design team, or
- project ownership.

As a general rule, *always* inform your geotechnical engineer of project changes—even minor ones—and request an assessment of their impact. *Geotechnical engineers cannot accept responsibility or liability for problems that occur because their reports do not consider developments of which they were not informed.*

Subsurface Conditions Can Change

A geotechnical engineering report is based on conditions that existed at the time the study was performed. *Do not rely on a geotechnical engineering report* whose adequacy may have been affected by: the passage of time; by man-made events, such as construction on or adjacent to the site; or by natural events, such as floods, earthquakes, or groundwater fluctuations. *Always* contact the geotechnical engineer before applying the report to determine if it is still reliable. A minor amount of additional testing or analysis could prevent major problems.

Most Geotechnical Findings Are Professional Opinions

Site exploration identifies subsurface conditions only at those points where subsurface tests are conducted or samples are taken. Geotechnical engineers review field and laboratory data and then apply their professional judgment to render an opinion about subsurface conditions throughout the site. Actual subsurface conditions may differ—sometimes significantly—from those indicated in your report. Retaining the geotechnical engineer who developed your report to provide construction observation is the most effective method of managing the risks associated with unanticipated conditions.

A Report's Recommendations Are *Not* Final

Do not overrely on the construction recommendations included in your report. *Those recommendations are not final*, because geotechnical engineers develop them principally from judgment and opinion. Geotechnical engineers can finalize their recommendations only by observing actual

subsurface conditions revealed during construction. *The geotechnical engineer who developed your report cannot assume responsibility or liability for the report's recommendations if that engineer does not perform construction observation.*

A Geotechnical Engineering Report Is Subject to Misinterpretation

Other design team members' misinterpretation of geotechnical engineering reports has resulted in costly problems. Lower that risk by having your geotechnical engineer confer with appropriate members of the design team after submitting the report. Also retain your geotechnical engineer to review pertinent elements of the design team's plans and specifications. Contractors can also misinterpret a geotechnical engineering report. Reduce that risk by having your geotechnical engineer participate in prebid and preconstruction conferences, and by providing construction observation.

Do Not Redraw the Engineer's Logs

Geotechnical engineers prepare final boring and testing logs based upon their interpretation of field logs and laboratory data. To prevent errors or omissions, the logs included in a geotechnical engineering report should *never* be redrawn for inclusion in architectural or other design drawings. Only photographic or electronic reproduction is acceptable, *but recognize that separating logs from the report can elevate risk.*

Give Contractors a Complete Report and Guidance

Some owners and design professionals mistakenly believe they can make contractors liable for unanticipated subsurface conditions by limiting what they provide for bid preparation. To help prevent costly problems, give contractors the complete geotechnical engineering report, *but* preface it with a clearly written letter of transmittal. In that letter, advise contractors that the report was not prepared for purposes of bid development and that the report's accuracy is limited; encourage them to confer with the geotechnical engineer who prepared the report (a modest fee may be required) and/or to conduct additional study to obtain the specific types of information they need or prefer. A prebid conference can also be valuable. *Be sure contractors have sufficient time to perform additional study.* Only then might you be in a position to give contractors the best information available to you, while requiring them to at least share some of the financial responsibilities stemming from unanticipated conditions.

Read Responsibility Provisions Closely

Some clients, design professionals, and contractors do not recognize that geotechnical engineering is far less exact than other engineering disciplines. This lack of understanding has created unrealistic expectations that

have led to disappointments, claims, and disputes. To help reduce the risk of such outcomes, geotechnical engineers commonly include a variety of explanatory provisions in their reports. Sometimes labeled "limitations" many of these provisions indicate where geotechnical engineers' responsibilities begin and end, to help others recognize their own responsibilities and risks. *Read these provisions closely.* Ask questions. Your geotechnical engineer should respond fully and frankly.

Geoenvironmental Concerns Are Not Covered

The equipment, techniques, and personnel used to perform a *geoenvironmental* study differ significantly from those used to perform a *geotechnical* study. For that reason, a geotechnical engineering report does not usually relate any geoenvironmental findings, conclusions, or recommendations; e.g., about the likelihood of encountering underground storage tanks or regulated contaminants. *Unanticipated environmental problems have led to numerous project failures.* If you have not yet obtained your own geoenvironmental information, ask your geotechnical consultant for risk management guidance. *Do not rely on an environmental report prepared for someone else.*

Obtain Professional Assistance To Deal with Mold

Diverse strategies can be applied during building design, construction, operation, and maintenance to prevent significant amounts of mold from growing on indoor surfaces. To be effective, all such strategies should be devised for the *express purpose* of mold prevention, integrated into a comprehensive plan, and executed with diligent oversight by a professional mold prevention consultant. Because just a small amount of water or moisture can lead to the development of severe mold infestations, a number of mold prevention strategies focus on keeping building surfaces dry. While groundwater, water infiltration, and similar issues may have been addressed as part of the geotechnical engineering study whose findings are conveyed in this report, the geotechnical engineer in charge of this project is not a mold prevention consultant; ***none of the services performed in connection with the geotechnical engineer's study were designed or conducted for the purpose of mold prevention. Proper implementation of the recommendations conveyed in this report will not of itself be sufficient to prevent mold from growing in or on the structure involved.***

Rely, on Your ASFE-Member Geotechnical Engineer for Additional Assistance

Membership in ASFE/THE BEST PEOPLE ON EARTH exposes geotechnical engineers to a wide array of risk management techniques that can be of genuine benefit for everyone involved with a construction project. Confer with your ASFE-member geotechnical engineer for more information.



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IIGER03135.0MRP

Appendix E: Supporting Drainage Report

Drainage Report

Towne Park Professional Center

December 2007
Revised September 2008

For: City of Stuart / South Florida Water Management District
Stormwater Management Review

Date _____

William J. Mathers, P.E.
Florida License 19658

Table of Contents

- I. Drainage Summary**
- II. Field test results**
- III. Technical Analysis with exhibits**

Drainage Summary

Drainage Summary

Key Points:

- Consistent with the original Towne Park North design, the Professional Center site will receive pass-through flows from the Condominiums.
- Based on the McCreary Offices SFWMD Permit No. 43-00600-S, Application No. 900626-8, allowable discharge for Towne Park North is ± 4 cfs.
- Offsite receiving body stage information for 10 yr – 1 day and 25 yr – 3 day events based on McCreary Office tailwater stages.
- The 100 year- 3 day storm event was analyzed without discharge to the Towne Park system.
- 860 LF of exfiltration trench required to store 2" over the entire site. 908 LF of trench provided.
- The soil boring by GFA indicates a depth to water table of 4.5 ft during the dry season (8.0' NGVD). Estimated wet season water table is at el 10.0' NGVD.

Results:

Pre-Development 25 yr - 3 day storm event:

North Condominium Basin 14.80 NGVD

Professional Center Basin 14.99 NGVD

Post Development 10 yr - 1 day storm flood stage:

North Condominium Basin 14.02 NGVD

Professional Center Basin 14.09 NGVD

Minimum proposed parking elevation is elevation 15.00 NGVD

Post Development 25 yr - 3 day storm flood stage:

North Condominium Basin 14.64 NGVD

Professional Center Basin 14.67 NGVD

Discharge 3.24 cfs (0.24 cfs/acre) < 4 cfs allowable

Proposed site berm is at elevation 15.50 NGVD

Post Development 100 yr - 3 day storm flood stage:

Professional Center Basin 15.87 NGVD

Proposed building FFE elevation is 16.00 NGVD

Field Test Results



June 4, 2008

Mr. Michael DiEgidio
MJD Construction, Inc.
3456 SW Deggeller Court
Palm City, Florida 34990

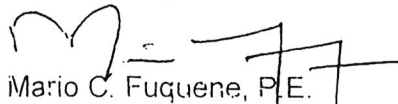
**Reference: Report of Hydraulic Conductivity Field Test
Proposed Townpark Professional Center
Stuart, Martin County, Florida
GFA Project No.: 08-0418**

Dear Mr. DiEgidio:

As requested, GFA International completed one hydraulic conductivity test at the referenced site on May 27, 2008. The test was performed near an existing ditch/swale area. The table below presents the results of our field tests:

Location	Depth to Groundwater level (ft)	Hydraulic Conductivity (cm/sec)	Hydraulic Conductivity (cfs/ft ²)	Hydraulic Conductivity (ft/day)
EX-1 150'EX10'N from the Site's Driveway Entrance	3.6	5.14 E-03	1.68 E-04	14.5

GFA appreciated the opportunity to be of service to you and if you have any questions, please don't hesitate to call our office at 772-489-9989.


Mario C. Fuquene, P.E.
Registered Engineer #60583
State of Florida

Environmental
Geotechnical
Private Provider, Services
Construction Materials Testing
Threshold and Special Inspections

Corporate Office
442 N.W. 35th Street
Boca Raton, FL 33431
(561) 347-0070
(561) 347-0809 Fax

Gulf Coast Office
5851 Country Lakes Dr.
Fort Myers, FL 33905
(239) 489-2443
(239) 489-3438 Fax

Treasure Coast Office
7882 S.W. Ellipse Way
Stuart, FL 34997
(772) 489-9989
(772) 489-2989 Fax

Orlando Office
9659 Tradeport Dr.
Orlando, FL 32827
(407) 447-9865
(407) 447-9868 Fax

The First Coast
5971 Powers Ave. Suite 5
Jacksonville, Florida 32217
(904) 854-9900
(904) 854-9901 Fax

Client:	MJD Contractors	Test No.:	EX-1	Date:	05/27/08
Project:	Town Park Professional Center	Well Depth:	3.6 Feet	Analyst:	Mario C. Fuquene
Job No.:	08-0418	Location:	150' East of Driveway Entrance		

Water Level	Hole Depth	Ds	t1	t2	H1	H2	K
3.6'	5.7'	2.1	0.0	60.0	3.6	2.350	0.000115
3.6'	5.7'	2.1	0.0	60.0	2.4	1.433	0.000169

Equation for K Value:

$$\frac{d^2 \cdot \ln(H_1/H_2)}{(2H_1 + 2H_2 + 4D_s + d)^2 (t_2 - t_1)}$$

Soil profile: EX-1

0.0' - 2" Dk. Brown SAND, trace roots & Shells

2" - 8" Lt. Brown m-f SAND, tr Shells

8" - 1.7' Tan m-f SAND, trace Shells

1.7' - 2.6' Black Peat

2.6' - 3.8' Black to gray f-m SAND

3.8' - 5.7' Tan to Dk. Brown f-m SAND, trace silt

Where:

k = 1.685E-04 cfs/ft² Hydraulic conductivity (

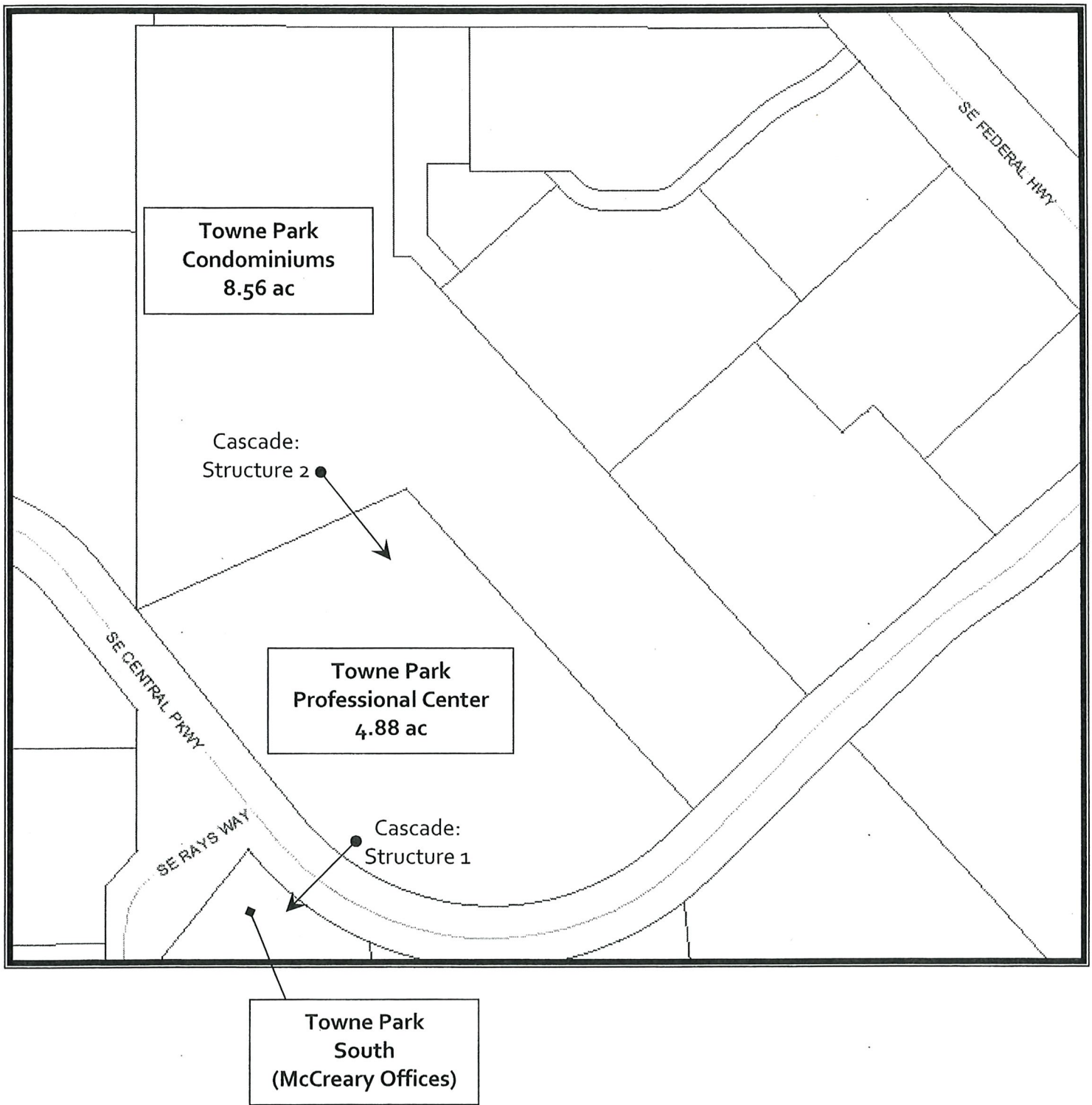
d = 0.33 ft Diameter of tests hole

K = 14.5593893 ft/day

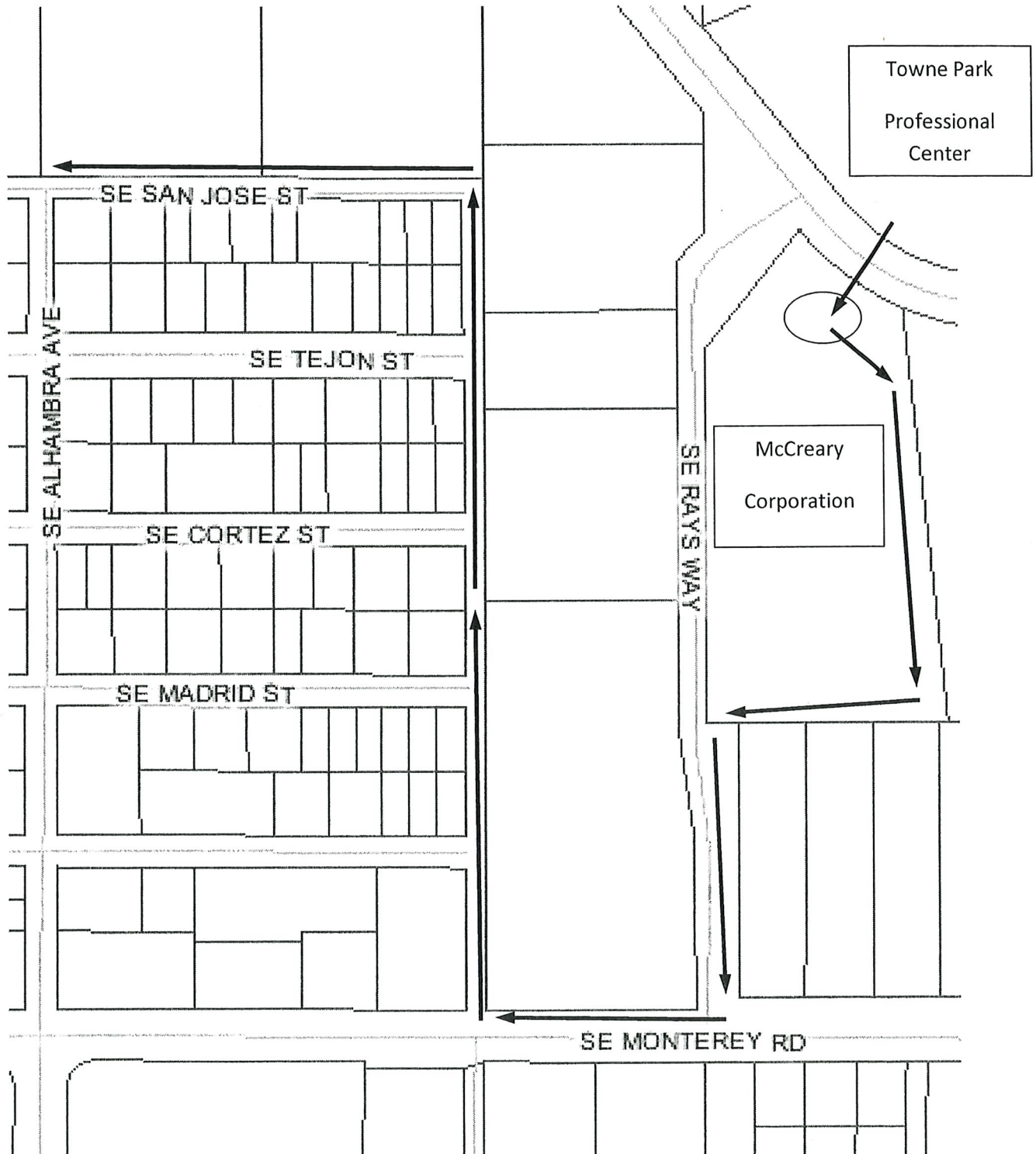


Technical Analysis

Master Drainage Exhibit



Drainage Exhibit:
Poppleton Creek Flow Path



Runoff Volume Recovery

Retention Size:

Retention Area **29910 sf**

Abstraction Volume:

Max Retention Vol (see Stage-Storage)	2.71 ac-ft	=	118048 cf
Saturated Soil Depth	1 ft		
Saturated Soil Volume	29910 cf		
Void Ratio	15 %		
Void Volume	4487 cf		

Total = **122534 cf**

Permeability Coefficient (k):

Maximum Drawdown Time	12 days
Abstraction Rate	10211 cf/day
Minimum Permeability Coefficient (k)	0.3 ft/day

Factor of Safety:

Ex-1 Average Permeability (k)	14.5 ft/day
see A & M soils report	

FS = **42.47**

I. Introduction

The proposed development site is located on SE Central Parkway opposite SE Rays Way. Currently a church/worship area exists on site. Site serves as a means of conveyance of stormwater from the Towne Park North Condominium south to the Central Parkway swale as part of the Towne Park master drainage system.

The site's soil classification is Waveland sand (4) Sand with a 10" depth to the wet season water table, as referenced in the "Soil Survey of Martin County" by Soil and Water Conservation District. The development in the area has reduced the Season High Water Table.

The soil boring by GFA indicates a depth to water table of 4.5 ft during the dry season (8.0' NGVD). Estimated wet season water table is at el 10.0' NGVD.

The project will consist of 212,720 sf or 4.88 ac parcel containing a proposed (7) buildings with a proposed total 42,000 sf building footprint.

II. Design Criterion:

- 10 yr - 1 day storm = 7" of rainfall (for parking elevation)
- 25 yr - 3 day storm = 11" of rainfall (for berm elevation/dischage)
- 100 yr - 3 day storm = 15" of rainfall (for building FFE)
- SFWMD Water Quality
- Pre-treatment

Towne Park Condominiums
(Off-Site Contributing Drainage)

III. Calculations:

A. Towne Park Condos (Offsite contributing Drainage):

1. Site Data:

Total Area: $\text{Total Area} := 8.589 \text{ acre}$

Impervious Area:

Building Area $\text{B} := 61200 \text{ ft}^2$ Pavement Area $\text{Pa} := 110630 \text{ ft}^2$ Sidewalk/Conc pad
Area $\text{Sa} := 1330 \text{ ft}^2$ Lake Area $\text{La} := 0 \text{ ft}^2$ Total Impervious $\text{Imperv} := \text{B} + \text{Pa} + \text{Sa}$ Pervious Area: $\text{Perv} := \text{Total Area} - \text{Imperv}$ $\text{Perv} = 200976.84 \text{ ft}^2$ Percent Pervious: $\% \text{Perv} := \frac{\text{Perv}}{\text{Total Area}}$ $\% \text{Perv} = 53.72 \%$

2. Soil Storage:

Depth to W.T.	Coastal Stor (in.)	Devel. Avail (in.)	Flatwood Stor (in.)	Devel. Avail (in.)	Depressional Stor (in.)	Devel. Avail (in.)
		75%		75%		75%
1'	0.6	0.45	0.6	0.45	0.6	0.45
2'	2.5	1.88	2.5	1.88	2.1	1.58
3'	6.6	4.95	5.4	4.05	4.4	3.30
4'	10.9	8.18	9	6.75	6.8	5.10
5'	14.65	10.99	12.18	9.14		0.00
6'	19.6	14.70	16.27	12.20		0.00

Developed Available Storage is Calculated @ 75% of the Type of Storage

I.E. (Coastal, Flatwoods, Depressional, etc...)

For 5' and 6' depth to water, please see attached letter from SFWMD
for verification of use of depths greater than 4' deep. $\text{S} := 4.05 \text{ in}$ $\text{Sw} := \text{S} \cdot \% \text{Perv}$ $\text{Sw} = 2.18 \text{ in}$

3. Stage Storage:

Elevation	Retention/Pavement		Pipe	Total
	Area	Volume	Volume	Volume
NGVD	sf	ac-ft	cf	ac-ft
13	65005	0.00	0	0.00
14	167150	2.66	0	2.66
15	379811	8.94	0	8.94
15.5	396925	13.40	0	13.40

4. Pre - Treatment Calculations:

First 1/2" of runoff: $R_{\text{wv}} := .5 \cdot \text{in} \cdot T$ $R = 0.36 \text{ acre} \cdot \text{ft}$

5. SFWMD Water Quality**Criteria 1: First 1" of runoff:**

First 1" of runoff: $R_{\text{wv}} := 1 \cdot \text{in} \cdot T$ $R = 0.72 \text{ acre} \cdot \text{ft}$

For Dry Detention x 75% $R1b := R \cdot 75\%$ $R1b = 0.54 \text{ acre} \cdot \text{ft}$

Dry Retention 50% credit: $R1c := R \cdot 50\%$ $R1c = 0.36 \text{ acre} \cdot \text{ft}$

$$14 - \frac{(14 - 13) \cdot (2.66 \text{ acre} \cdot \text{ft} - R1b)}{2.66 \text{ acre} \cdot \text{ft} - 0.00 \text{ acre} \cdot \text{ft}} = 13.2 \text{ SFWMD Water Quality Stage}$$

Criteria 2: 2.5" x % Impervious:**a. Site Area, for Water Quality Pervious / Impervious Calculations Only**

$$\text{Site_Area} := T - (La + B) \quad \text{Site_Area} = 312936.84 \text{ ft}^2 \quad \text{Site_Area} = 7.18 \text{ acre}$$

b. Impervious Area, for Water Quality pervious / Impervious Calculations Only
= (Site Area for Water Quality Pervious / Impervious) - Pervious

$$Iq := \text{Site_Area} - \text{Perv} \quad Iq = 111960 \text{ ft}^2 \quad Iq = 2.57 \text{ acre}$$

$$\text{Percentage_Imp} := \frac{Iq}{\text{Site_Area}} \quad \text{Percentage_Imp} = 0.36$$

c. For 2.5 inches x Percentage Impervious

$$\text{Treated} := 2.5 \cdot \text{in} \cdot \text{Percentage_Imp} \quad \text{Treated} = 0.89 \text{ in}$$

d. Compute Volume Required for Quality Detention as Per SFWMD

$$R1 := \text{Treated} \cdot (T - La) \quad R1 = 0.64 \text{ acre} \cdot \text{ft}$$

Pre-Development
Towne Park Professional
(On-Site)

B. Pre-developed Towne Park Prof. Site (Onsite):**1. Site Data:**

$$\text{Total Area: } \frac{\text{Total Area} := 212720 \cdot \text{ft}^2}{\text{Total Area} = 4.88 \text{ acre}}$$

Impervious Area:

$$\text{Building Area } \underline{B} := 9748 \text{ft}^2$$

$$\text{Pavement Area } \underline{P_a} := 18274 \text{ft}^2$$

$$\text{Sidewalk/Conc pad Area } \underline{S_a} := 2233 \text{ft}^2$$

$$\text{Total Impervious } \underline{\text{Imperv}} := \underline{B} + \underline{P_a} + \underline{S_a}$$

$$\text{Pervious Area: } \underline{\text{Perv}} := \text{Total Area} - \underline{\text{Imperv}}$$

$$\underline{\text{Perv}} = 182465 \text{ft}^2$$

$$\text{Percent Pervious: } \frac{\underline{\text{Perv}}}{\text{Total Area}} = \underline{\% \text{Perv}} = 85.78 \%$$

2. Soil Storage:

Depth to W.T.	Coastal Stor (in.)	Devel. Avail (in.)	Flatwood Stor (in.)	Devel. Avail (in.)	Depressional Stor (in.)	Devel. Avail (in.)
		75%		75%		75%
1'	0.6	0.45	0.6	0.45	0.6	0.45
2'	2.5	1.88	2.5	1.88	2.1	1.58
3'	6.6	4.95	5.4	4.05	4.4	3.30
4'	10.9	8.18	9	6.75	6.8	5.10
5'	14.65	10.99	12.18	9.14		0.00
6'	19.6	14.70	16.27	12.20		0.00
Developed Available Storage is Calculated @ 75% of the Type of Storage						
I.E. (Coastal, Flatwoods, Depressional, etc...)						
For 5' and 6' depth to water, please see attached letter from SFWMD						
for verification of use of depths greater than 4' deep.						

$$\underline{S} := 4.05 \cdot \text{in}$$

$$\underline{S_w} := \underline{S} \cdot \underline{\% \text{Perv}}$$

$$\underline{S_w} = 3.47 \text{ in}$$

3. Stage Storage:

Elevation	Retention/Pavement		Pipe	Total
	Area	Volume	Volume	Volume
NGVD	sf	ac-ft	cf	ac-ft
13	14000	0.00	0	0.00
14	14000	0.32	0	0.32
15	107000	1.71	0	1.71
15.5	200000	3.47	0	3.47

4. Estimated Runoff Volume:

25 yr - 3 day rainfall depth $\underline{P} := 11.0 \cdot \underline{\text{in}}$

$$\underline{Q_{pre}} := \left[\frac{(\underline{P} - .2 \cdot \underline{S_w})^2}{\underline{P} + .8 \cdot \underline{S_w}} \right] \quad \underline{Q_{pre}} = 7.71 \underline{\text{ in}}$$

$$\underline{\text{Vol_pre}} := \underline{Q_{pre}} \cdot \underline{\text{Total_Area}} \quad \underline{\text{Vol_pre}} = 3.14 \underline{\text{ acre} \cdot \underline{\text{ft}}}$$

Post-Development
Towne Park Professional
(On-Site)

C. Developed Towne Park Prof. Site (Onsite):

1. Site Data:

$$\text{Total Area} \quad \underline{T} := \text{Total_Area} \quad \underline{T} = 4.88 \text{ acre}$$

Impervious Area

$$\text{Building Area} \quad \underline{B} := 42000 \cdot \text{ft}^2 \quad \underline{B} = 0.96 \text{ acre}$$

$$\text{Pavement Area} \quad \underline{Pa} := (59723) \cdot \text{ft}^2$$

$$\text{Sidewalk, Conc pad, Area} \quad \underline{Sa} := (17210) \cdot \text{ft}^2$$

$$\text{Lake Area} \quad \underline{La} := 0 \text{ft}^2$$

$$\text{Preserve Area} \quad \underline{\text{Preserve}} := 0 \text{ft}^2$$

$$\text{Wetland Area} \quad \underline{\text{Wetland}} := 0 \text{ft}^2$$

$$\text{Total Impervious Area} \quad \underline{I} := \underline{B} + \underline{Pa} + \underline{Sa}$$

$$\underline{I} = 2.73 \text{ acre} \quad \underline{I} = 2.73 \text{ acre} \quad \frac{\underline{I}}{\underline{T}} = 55.91 \%$$

Pervious Area:

$$\text{Total Area} - \text{Impervious Area} = \text{Total Pervious Area}$$

$$\underline{\text{Perv}} := \underline{T} - \underline{I} \quad \underline{\text{Perv}} = 93787 \text{ ft}^2$$

$$\text{Percent Pervious:} \quad \underline{\%Perv} := \frac{\underline{\text{Perv}}}{\underline{T}} \quad \underline{\%Perv} = 44.09 \%$$

2. Soil Storage:

Land Use	Area (sf)	Grade (ft-NGVD)	Area x Grade
Building	42000	16	672000
Pavement / Drive	59723	15.2	907789.6
Sidewalk	17210	15.5	266755
Dry Detention / Swale	39000	12	468000
Pervious (Not Dry Detention)	54787	15	821805
			3136349.6
Total Site Area	212720		
Weighted Site Grade		14.74	

Depth to W.T.	Coastal Stor (in.)	Devel. Avail (in.)	Flatwood Stor (in.)	Devel. Avail (in.)	Depressional Stor (in.)	Devel. Avail (in.)
		75%		75%		75%
1'	0.6	0.45	0.6	0.45	0.6	0.45
2'	2.5	1.88	2.5	1.88	2.1	1.58
3'	6.6	4.95	5.4	4.05	4.4	3.30
4'	10.9	8.18	9	6.75	6.8	5.10
5'	14.65	10.99	12.18	9.14		0.00
6'	19.6	14.70	16.27	12.20		0.00
Developed Available Storage is Calculated @ 75% of the Type of Storage						
I.E. (Coastal, Flatwoods, Depressional, etc...)						
For 5' and 6' depth to water, please see attached letter from SFWMD						
for verification of use of depths greater than 4' deep.						

$$S := 6.75 \cdot \text{in} \quad S_w := S \cdot \% \text{Perv} \quad S_w = 2.98 \text{ in}$$

3. Stage Storage

Tree Area

Average Tree Size: $\text{TreeDiam} := 24 \text{ in}$

$$\text{TreeA} := 3.14 \cdot \left(\frac{\text{TreeDiam}}{2} \right)^2$$

$$\text{Trees} := 28 \quad \text{TotalTreeArea} := \text{TreeA} \cdot \text{Trees}$$

$$\text{TotalTreeArea} = 87.92 \text{ ft}^2 \quad \text{Approx } 90 \text{ sf}$$

$$\text{Dry-Detention Area @ EL 11} \quad 14000 \text{ ft}^2 - 90 \text{ ft}^2 = 13910 \text{ ft}^2$$

$$\text{Dry-Detention Area @ EL 15} \quad 30000 \text{ ft}^2 - 90 \text{ ft}^2 = 29910 \text{ ft}^2$$

Elevation	Dry-Detention		Pavement		Swale		Pipe	Total
	Area	Volume	Area	Volume	Area	Volume	Volume	Volume
NGVD	sf	ac-ft	sf	ac-ft	sf	ac-ft	cf	ac-ft
10.9	0	0.00	0	0.00	0	0.00	0	0.00
11	13910	0.02	0	0.00	0	0.00	0	0.02
12	17910	0.38	0	0.00	0	0.00	0	0.38
13	21910	0.84	0	0.00	0	0.00	0	0.84
14	25910	1.39	0	0.00	0	0.00	0	1.39
15	29910	2.03	27464	0.32	0	0.00	0	2.34
15.5	29910	2.37	59723	0.82	9000	0.05	0	3.24
16	29910	2.71	59723	1.50	9000	0.15	0	4.37

4. Pre - Treatment Calculations:

First 1/2" of runoff: $R := .5 \cdot \text{in} \cdot T$ $R = 0.2 \text{ acre} \cdot \text{ft}$

5. SFWMD Water Quality**Criteria 1: First 1" of runoff:**

First 1" of runoff: $R := 1 \cdot \text{in} \cdot T$ $R = 0.41 \text{ acre} \cdot \text{ft}$

Criteria 2: 2.5" x % Impervious:**a. Site Area, for Water Quality Pervious / Impervious Calculations Only**

$\text{Site_Area} := T - (La + B)$ $\text{Site_Area} = 170720 \text{ ft}^2$ $\text{Site_Area} = 3.92 \text{ acre}$

**b. Impervious Area, for Water Quality pervious / Impervious Calculations Only
= (Site Area for Water Quality Pervious / Impervious) - Pervious**

$Iq := \text{Site_Area} - \text{Perv}$ $Iq = 76933 \text{ ft}^2$ $Iq = 1.77 \text{ acre}$

$\text{Percentage_Imp} := \frac{Iq}{\text{Site_Area}}$ $\text{Percentage_Imp} = 0.45$

c. For 2.5 inches x Percentage Impervious

$\text{Treated} := 2.5 \cdot \text{in} \cdot \text{Percentage_Imp}$ $\text{Treated} = 1.13 \text{ in}$

d. Compute Volume Required for Quality Detention as Per SFWMD

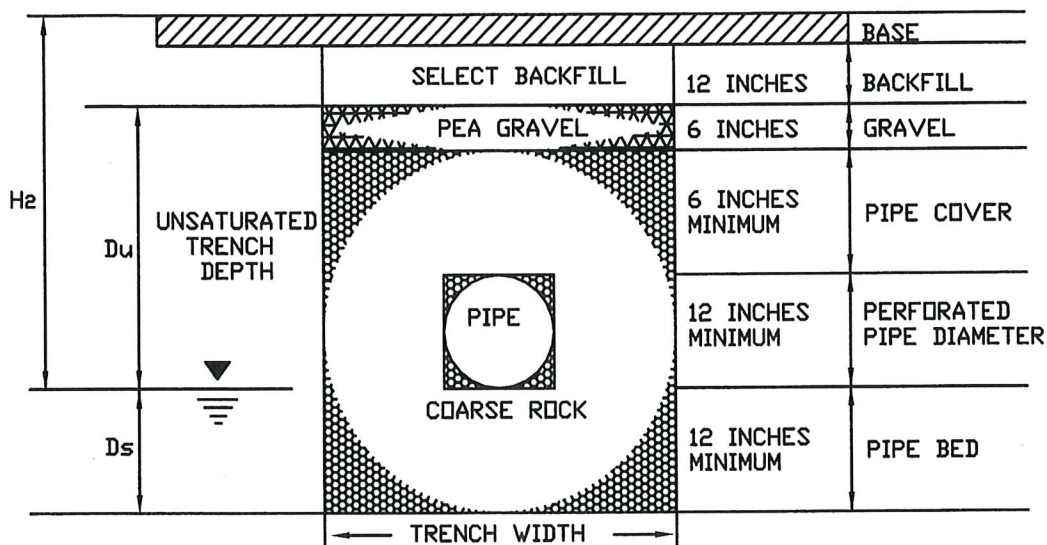
$R1 := \text{Treated} \cdot (T - La)$ $R1 = 0.46 \text{ acre} \cdot \text{ft}$

Dry Detention 75% credit: $R1a := R1 \cdot 75\%$ $R1a = 0.34 \text{ acre} \cdot \text{ft}$

$12 - \frac{(12 - 11) \cdot (0.38 \cdot \text{acre} \cdot \text{ft} - R1a)}{0.38 \text{ acre} \cdot \text{ft} - 0.02 \cdot \text{acre} \cdot \text{ft}} = 11.9 = \text{SFWMD Water Quality Stage}$

6. Trench Drain Evaluation:

SFWMD Trench Drain Calculations From Codes - Calcs Take into account abstraction value from soils.



Trench Calculations for Length of Trench

Rainfall To be Stored in Trenches in inches?

K value from Soils Test?

$$K := .000168 \text{ CFS/FT}^2\text{-FT. Head}$$

H2 Depth to Water Table?

$$H2 := 4 \cdot \text{ft} \quad \text{Design Condition}$$

Du Non - Saturated Trench Depth?

$$Du := 4 \cdot \text{ft}$$

Ds Saturated Depth of Trench?

$$Ds := 1 \cdot \text{ft}$$

W Trench Width?

$$W := 6 \cdot \text{ft}$$

$$H := Du + Ds$$

$$H = 5 \text{ ft}$$

Volume of Rainfall Calculated?

$$V_{\text{trench}} := T \cdot 2 \text{ in}$$

$$V_{\text{trench}} = 0.81 \text{ acre} \cdot \text{ft}$$

$$V_{\text{trench}} < R1 \quad \text{(Required Water Quality/Pre-treatment Volume)}$$

$$L := \frac{\left(\frac{V_{\text{trench}}}{\text{acre} \cdot \text{in}} \right) \cdot \text{ft}^3}{K \cdot (H2 \cdot W + 2 \cdot H2 \cdot Du - Du^2 + 2 \cdot H2 \cdot Ds) + (.000139) \cdot W \cdot Du} \quad L = 856.73 \text{ ft}$$

Upland Developed Basin Rainfall
adjusted for trench

$$7 \text{ in} - \frac{V_{\text{trench}}}{T} = 5 \text{ in}$$

$$11 \text{ in} - \frac{V_{\text{trench}}}{T} = 9 \text{ in}$$

$$15 \text{ in} - \frac{V_{\text{trench}}}{T} = 13 \text{ in}$$

7. 100 YR - 3 day:

Design Storm Runoff Volume:

$$Q_{100_3\text{day}} := \left[\frac{(P - .2 \cdot S_w)^2}{P + .8 \cdot S_w} \right] \quad \text{where: } P := 13 \text{ in} \quad S_w = 2.98 \text{ in}$$

$$Q_{100_3\text{day}} = 10 \text{ in}$$

$$V_{100} := Q_{100_3\text{day}} \cdot \text{Total Area}$$

$$V_{100} = 4.07 \text{ acre} \cdot \text{ft} = \mathbf{100 \text{ year} - 3 \text{ day volume}}$$

Storm Stage:

Interpolating information from the stage/storage analysis:

$$16.0 - \frac{(16.0 - 15.5) \cdot (4.37 \text{ acre} \cdot \text{ft} - V_{100})}{4.37 \text{ acre} \cdot \text{ft} - 3.24 \text{ acre} \cdot \text{ft}} = 15.87 = \mathbf{100 \text{ year} - 3 \text{ day stage}}$$

D. Results

Towne Park Pre-developed Site:

The 25 yr - 3 day storm event:

North Condominium Basin 14.80 NGVD

Professional Center Basin 14.99 NGVD

Towne Park Developed Site:

1. The 10 yr - 1 day storm flood stage:

North Condominium Basin 14.02 NGVD

Professional Center Basin 14.09 NGVD

Minimum proposed parking elevation is elevation 15.00 NGVD

2. The 25 yr - 3 day storm flood stage:

North Condominium Basin 14.64 NGVD

Professional Center Basin 14.97 NGVD

Proposed site berm is at elevation 15.50 NGVD

Discharge 3.24 cfs (0.24 cfs/acre) < 4 cfs allowable

3. The 100 yr - 3 day storm flood stage:

Professional Center Basin 15.87 NGVD

Proposed building FFE elevation is 16.00 NGVD

Project Name: Towne Park Prof.

Reviewer: WJM

Project Number: 2065-01

Period Begin: Jan 01, 2000;0000 hr End: Jan 16, 2000;0000 hr Duration: 360 hr

Time Step: 0.2 hr, Iterations: 10

Basin 1: TP Condos

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 3day

Design Frequency: 25 year

3 Day Rainfall: 11 inches

Area: 8.58899 acres

Ground Storage: 2.18 inches

Time of Concentration: 0.5 hours

Initial Stage: 13 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
13.00	0.00
14.00	2.66
15.00	8.94
15.50	13.40

Basin 2: TP Prof PRE DEV

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 3day

Design Frequency: 25 year

3 Day Rainfall: 11 inches

Area: 4.88 acres

Ground Storage: 3.47 inches

Time of Concentration: 0.5 hours

Initial Stage: 11 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
13.00	0.00
14.00	0.32
15.00	1.71
15.50	3.47

Structure: 1

From Basin: TP Condos

To Basin: TP Prof PRE DEV

Structure Type: Gravity

Weir: Broad Crested, Crest Elev = 13 ft NGVD, Length = 4 ft, Weir Coef = 3.2

Bleeder: None

Pipe: None

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	13.00	11.00
12.00	0.59	0.05	0.00	0.00	13.00	13.00
24.00	1.18	0.19	0.11	0.00	13.05	13.06
36.00	2.04	0.41	1.24	-0.06	13.20	13.24
48.00	2.91	0.48	3.74	-0.16	13.42	13.48
60.00	8.22	29.66	9.29	-0.54	14.17	14.36
72.00	11.00	0.82	32.48	-1.16	14.80	14.98
84.00	11.00	0.00	32.73	-1.18	14.80	14.98
96.00	11.00	0.00	32.73	-1.18	14.80	14.98
108.00	11.00	0.00	32.73	-1.18	14.80	14.98

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
120.00	11.00	0.00	32.73	-1.18	14.80	14.98
132.00	11.00	0.00	32.73	-1.18	14.80	14.98
144.00	11.00	0.00	32.73	-1.18	14.80	14.98
156.00	11.00	0.00	32.73	-1.18	14.80	14.98
168.00	11.00	0.00	32.73	-1.18	14.80	14.98
180.00	11.00	0.00	32.73	-1.18	14.80	14.98
192.00	11.00	0.00	32.73	-1.18	14.80	14.98
204.00	11.00	0.00	32.73	-1.18	14.80	14.98
216.00	11.00	0.00	32.73	-1.18	14.80	14.98
228.00	11.00	0.00	32.73	-1.18	14.80	14.98
240.00	11.00	0.00	32.73	-1.18	14.80	14.98
252.00	11.00	0.00	32.73	-1.18	14.80	14.98
264.00	11.00	0.00	32.73	-1.18	14.80	14.98
276.00	11.00	0.00	32.73	-1.18	14.80	14.98
288.00	11.00	0.00	32.73	-1.18	14.80	14.98
300.00	11.00	0.00	32.73	-1.18	14.80	14.98
312.00	11.00	0.00	32.73	-1.18	14.80	14.98
324.00	11.00	0.00	32.73	-1.18	14.80	14.98
336.00	11.00	0.00	32.73	-1.18	14.80	14.98
348.00	11.00	0.00	32.73	-1.18	14.80	14.98
360.00	11.00	0.00	32.73	-1.18	14.80	14.98

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	32.73	77.20	-32.92	72.20

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)
TP Condos	14.80	77.40	13.00	0.00
TP Prof PRE DE	14.99	72.60	11.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
TP Condos	6.27	0.00	-1.45	0.00	7.71	0.00
TP Prof PRE DE	3.13	-1.45	0.00	0.00	1.69	0.00

Project Name: Towne Park Prof.

Reviewer: WJM

Project Number: 2065-01

Period Begin: Jan 01, 2000;0000 hr End: Jan 16, 2000;0000 hr Duration: 360 hr

Time Step: 0.2 hr, Iterations: 10

Basin 1: TP Prof

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 24 hr

Design Frequency: 10 year

1 Day Rainfall: 5 inches

Area: 4.88 acres

Ground Storage: 2.98 inches

Time of Concentration: 0.5 hours

Initial Stage: 11 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
11.00	0.02
12.00	0.38
13.00	0.84
14.00	1.39
15.00	2.34
15.50	3.24

Basin 2: TP Condos

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 24 hr

Design Frequency: 10 year

1 Day Rainfall: 5 inches

Area: 8.55999 acres

Ground Storage: 2.49 inches

Time of Concentration: 0.5 hours

Initial Stage: 13 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
13.00	0.00
14.00	2.66
15.00	8.94
15.50	13.40

Offsite Receiving Body: Offsitel

Time (hr)	Stage (ft NGVD)
0.00	12.00
12.00	12.00
24.00	12.02
48.00	12.53
60.50	14.61
72.00	13.72
360.00	12.00

Structure: 1

From Basin: TP Prof

To Basin: Offsitel

Structure Type: Gravity

Weir: None

Bleeder: None

Pipe: Diameter = 1.25 ft, Manning's n = 0.01, Length = 453 ft
 US Invert Elev = 12 ft NGVD, DS Invert Elev = 10 ft NGVD, no flap gate

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	-3.62	0.00	11.00	12.00
12.00	3.28	6.79	1.91	-0.21	12.28	12.00
24.00	5.00	0.25	1.05	1.61	12.10	12.02
36.00	5.00	0.00	0.16	2.01	12.27	12.27
48.00	5.00	0.00	0.26	2.09	12.53	12.53
60.00	5.00	0.00	-3.05	0.27	13.82	14.53
72.00	5.00	0.00	2.01	-0.72	14.03	13.72
84.00	5.00	0.00	1.74	-0.02	13.88	13.65
96.00	5.00	0.00	1.65	0.29	13.79	13.58
108.00	5.00	0.00	1.63	0.54	13.71	13.51
120.00	5.00	0.00	1.63	0.77	13.63	13.43
132.00	5.00	0.00	1.62	1.01	13.56	13.36
144.00	5.00	0.00	1.62	1.24	13.49	13.29
156.00	5.00	0.00	1.62	1.47	13.42	13.22
168.00	5.00	0.00	-0.68	1.54	13.41	13.15
180.00	5.00	0.00	-0.60	1.56	13.05	13.07
192.00	5.00	0.00	0.21	1.83	13.01	13.00
204.00	5.00	0.00	0.13	1.99	12.93	12.93
216.00	5.00	0.00	0.26	2.10	12.87	12.86
228.00	5.00	0.00	0.28	2.18	12.79	12.79
240.00	5.00	0.00	0.28	2.25	12.72	12.72
252.00	5.00	0.00	0.28	2.31	12.65	12.65
264.00	5.00	0.00	0.28	2.37	12.58	12.57
276.00	5.00	0.00	0.27	2.42	12.51	12.50
288.00	5.00	0.00	0.27	2.46	12.44	12.43
300.00	5.00	0.00	0.27	2.51	12.36	12.36
312.00	5.00	0.00	0.27	2.55	12.29	12.29
324.00	5.00	0.00	0.27	2.59	12.22	12.22
336.00	5.00	0.00	0.27	2.63	12.15	12.14
348.00	5.00	0.00	0.27	2.67	12.08	12.07
360.00	5.00	0.00	0.28	2.71	12.01	12.00

Structure: 2

From Basin: TP Condos

To Basin: TP Prof

Structure Type: Gravity

Weir: None

Bleeder: None

Pipe: Diameter = 2 ft, Manning's n = 0.01, Length = 50 ft

US Invert Elev = 13.2 ft NGVD, DS Invert Elev = 13 ft NGVD, no flap gate

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	13.00	11.00
12.00	3.28	13.19	0.15	0.00	13.18	12.28
24.00	5.00	0.45	0.77	0.93	13.42	12.10
36.00	5.00	0.00	0.28	1.40	13.25	12.27
48.00	5.00	0.00	0.14	1.60	13.18	12.53
60.00	5.00	0.00	-9.53	0.39	13.60	13.82
72.00	5.00	0.00	-5.91	-0.49	13.94	14.03
84.00	5.00	0.00	-8.34	0.10	13.71	13.88
96.00	5.00	0.00	-8.47	0.36	13.62	13.79
108.00	5.00	0.00	-8.50	0.57	13.54	13.71
120.00	5.00	0.00	-8.51	0.76	13.46	13.63
132.00	5.00	0.00	-8.51	0.95	13.39	13.56
144.00	5.00	0.00	-8.51	1.15	13.32	13.49
156.00	5.00	0.00	-8.51	1.34	13.25	13.42
168.00	5.00	0.00	8.24	1.55	13.22	13.41
180.00	5.00	0.00	0.36	1.31	13.28	13.05

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
192.00	5.00	0.00	0.17	1.55	13.19	13.01
204.00	5.00	0.00	0.10	1.68	13.15	12.93
216.00	5.00	0.00	0.06	1.76	13.12	12.87
228.00	5.00	0.00	0.04	1.81	13.10	12.79
240.00	5.00	0.00	0.03	1.84	13.08	12.72
252.00	5.00	0.00	0.02	1.87	13.07	12.65
264.00	5.00	0.00	0.02	1.89	13.07	12.58
276.00	5.00	0.00	0.02	1.91	13.06	12.51
288.00	5.00	0.00	0.01	1.92	13.05	12.44
300.00	5.00	0.00	0.01	1.94	13.05	12.36
312.00	5.00	0.00	0.01	1.95	13.05	12.29
324.00	5.00	0.00	0.01	1.96	13.04	12.22
336.00	5.00	0.00	0.01	1.96	13.04	12.15
348.00	5.00	0.00	0.01	1.97	13.04	12.08
360.00	5.00	0.00	0.01	1.98	13.03	12.01

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	2.94	13.20	-3.62	0.00
2	9.19	74.60	-9.94	52.00

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)
TP Prof	14.09	67.80	11.00	0.00
TP Condos	14.02	68.00	13.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
TP Prof	1.07	1.97	2.71	0.02	0.38	-0.03
TP Condos	2.07	0.00	1.97	0.00	0.09	0.00

Project Name: Towne Park Prof.

Reviewer: WJM

Project Number: 2065-01

Period Begin: Jan 01, 2000;0000 hr End: Jan 16, 2000;0000 hr Duration: 360 hr

Time Step: 0.2 hr, Iterations: 10

Basin 1: TP Prof

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 3day

Design Frequency: 25 year

3 Day Rainfall: 9 inches

Area: 4.88 acres

Ground Storage: 2.98 inches

Time of Concentration: 0.5 hours

Initial Stage: 11 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
11.00	0.02
12.00	0.38
13.00	0.84
14.00	1.39
15.00	2.34
15.50	3.24

Basin 2: TP Condos

Method: Santa Barbara Unit Hydrograph

Rainfall Distribution: SFWMD - 3day

Design Frequency: 25 year

3 Day Rainfall: 11 inches

Area: 8.55999 acres

Ground Storage: 2.49 inches

Time of Concentration: 0.5 hours

Initial Stage: 13 ft NGVD

Stage (ft NGVD)	Storage (acre-ft)
13.00	0.00
14.00	2.66
15.00	8.94
15.50	13.40

Offsite Receiving Body: Offsitel

Time (hr)	Stage (ft NGVD)
0.00	12.00
12.00	12.00
24.00	12.02
48.00	12.53
60.50	14.61
72.00	13.72
360.00	12.00

Structure: 1

From Basin: TP Prof

To Basin: Offsitel

Structure Type: Gravity

Weir: None

Bleeder: None

Pipe: Diameter = 1.25 ft, Manning's n = 0.01, Length = 453 ft
 US Invert Elev = 12 ft NGVD, DS Invert Elev = 10 ft NGVD, no flap gate

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	-3.62	0.00	11.00	12.00
12.00	0.48	0.00	0.26	-0.33	11.99	12.00
24.00	0.97	0.04	0.27	-0.32	12.02	12.02
36.00	1.67	0.13	0.29	-0.31	12.28	12.27
48.00	2.38	0.17	0.30	-0.11	12.54	12.53
60.00	6.72	12.68	-1.78	-1.29	14.28	14.53
72.00	9.00	0.36	3.24	0.70	14.59	13.72
84.00	9.00	0.00	2.53	3.55	14.20	13.65
96.00	9.00	0.00	-0.33	5.41	13.86	13.58
108.00	9.00	0.00	-1.03	5.89	13.73	13.51
120.00	9.00	0.00	-1.13	6.18	13.64	13.43
132.00	9.00	0.00	-1.15	6.42	13.56	13.36
144.00	9.00	0.00	-1.16	6.65	13.49	13.29
156.00	9.00	0.00	-1.16	6.89	13.42	13.22
168.00	9.00	0.00	-0.90	6.99	13.25	13.15
180.00	9.00	0.00	0.30	6.99	13.08	13.07
192.00	9.00	0.00	0.21	7.27	13.01	13.00
204.00	9.00	0.00	0.13	7.43	12.93	12.93
216.00	9.00	0.00	-0.02	7.54	12.87	12.86
228.00	9.00	0.00	-0.13	7.62	12.79	12.79
240.00	9.00	0.00	-0.15	7.69	12.72	12.72
252.00	9.00	0.00	-0.16	7.75	12.65	12.65
264.00	9.00	0.00	-0.17	7.81	12.58	12.57
276.00	9.00	0.00	-0.18	7.86	12.51	12.50
288.00	9.00	0.00	-0.18	7.90	12.44	12.43
300.00	9.00	0.00	-0.18	7.95	12.36	12.36
312.00	9.00	0.00	-0.19	7.99	12.29	12.29
324.00	9.00	0.00	-0.19	8.03	12.22	12.22
336.00	9.00	0.00	-0.19	8.07	12.15	12.14
348.00	9.00	0.00	-0.19	8.11	12.08	12.07
360.00	9.00	0.00	-0.22	8.15	12.01	12.00

Structure: 2

From Basin: TP Condos

To Basin: TP Prof

Structure Type: Gravity

Weir: None

Bleeder: None

Pipe: Diameter = 2 ft, Manning's n = 0.01, Length = 50 ft

US Invert Elev = 13.2 ft NGVD, DS Invert Elev = 13 ft NGVD, no flap gate

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
0.00	0.00	0.00	0.00	0.00	13.00	11.00
12.00	0.59	0.02	0.00	0.00	13.00	11.99
24.00	1.18	0.16	0.01	0.00	13.04	12.02
36.00	2.04	0.38	0.09	0.04	13.14	12.28
48.00	2.91	0.46	0.25	0.20	13.23	12.54
60.00	8.22	29.08	-6.79	-0.87	14.17	14.28
72.00	11.00	0.81	2.60	0.08	14.53	14.59
84.00	11.00	0.00	2.20	2.56	14.14	14.20
96.00	11.00	0.00	9.18	4.23	13.71	13.86
108.00	11.00	0.00	8.97	4.64	13.56	13.73
120.00	11.00	0.00	8.92	4.88	13.47	13.64
132.00	11.00	0.00	8.90	5.08	13.39	13.56
144.00	11.00	0.00	8.90	5.28	13.32	13.49
156.00	11.00	0.00	8.90	5.47	13.25	13.42
168.00	11.00	0.00	0.32	5.41	13.24	13.25
180.00	11.00	0.00	0.35	5.31	13.28	13.08

Time (hr)	Cumulative Rainfall (in)	Instant Runoff (cfs)	Current Discharge (cfs)	Cumulative Discharge (acre-ft)	Head Water Stage (ft NGVD)	Tail Water Stage (ft NGVD)
192.00	11.00	0.00	0.16	5.54	13.19	13.01
204.00	11.00	0.00	0.09	5.67	13.15	12.93
216.00	11.00	0.00	0.06	5.74	13.12	12.87
228.00	11.00	0.00	0.04	5.79	13.10	12.79
240.00	11.00	0.00	0.03	5.83	13.08	12.72
252.00	11.00	0.00	0.02	5.86	13.07	12.65
264.00	11.00	0.00	0.02	5.88	13.07	12.58
276.00	11.00	0.00	0.02	5.90	13.06	12.51
288.00	11.00	0.00	0.01	5.91	13.05	12.44
300.00	11.00	0.00	0.01	5.92	13.05	12.36
312.00	11.00	0.00	0.01	5.93	13.05	12.29
324.00	11.00	0.00	0.01	5.94	13.04	12.22
336.00	11.00	0.00	0.01	5.95	13.04	12.15
348.00	11.00	0.00	0.01	5.96	13.04	12.08
360.00	11.00	0.00	0.01	5.96	13.03	12.01

STRUCTURE MAXIMUM AND MINIMUM DISCHARGES

Struc	Max (cfs)	Time (hr)	Min (cfs)	Time (hr)
1	3.24	72.00	-3.62	0.00
2	9.26	95.60	-9.54	52.60

BASIN MAXIMUM AND MINIMUM STAGES

Basin	Max (ft)	Time (hr)	Min (ft)	Time (hr)
TP Prof	14.67	66.60	11.00	0.00
TP Condos	14.64	64.80	13.00	0.00

BASIN WATER BUDGETS (all units in acre-ft)

Basin	Total Runoff	Structure Inflow	Structure Outflow	Initial Storage	Final Storage	Residual
TP Prof	2.52	5.96	8.15	0.02	0.38	-0.03
TP Condos	6.05	0.00	5.96	0.00	0.09	0.00

Stormwater Maintenance Plan

Exfiltration: (To be maintained by Owner)

The drainage system serving this project consists primarily of a below surface trench drain network and a Control Structure. Three of the inlets are placed in the parking lot area and seven in the grassed area. The three in the parking lot will be subject to less potential debris than the seven in the grassed area. The other inlets are subject to debris and therefore the tops are raised an additional 0.5' above the grass to help reduce sediments and debris from entering the trench drain system. The inlets are equipped with aluminum debris baffles.

During construction the inlets will have 1/2" plywood wrapped with filter cloth placed under the inlet grate to prevent debris from entering the system. This protection will remain until after final approvals and all landscaping has been completed.

- Inspection of the drainage inlets with removal of the grates shall be done in the months of May, July, and November of each year to remove any accumulation of debris. Inspection of the Control Structure should also be done in these months to remove any accumulation of debris.
- Once every three years the inlets and pipes shall be flushed and pumped by a company specializing in this type of cleaning.
- Should the rainwater begin to overflow the inlet tops, with the rainfall being less than 3 to 4 inches within a 4 hour period, then the system is to be inspected and cleaned as necessary.
- If required in control structures, skimmers are to be maintained periodically every time catch basin maintenance occurs.

Catch Basin Maintenance: (To be maintained by Owner)

Catch Basins shall have regularly scheduled maintenance a minimum of 1 time a year. Scheduled maintenance shall include but not be limited to clearing of all debris within the catch basin and removal of any obstructions in and around the catch basin. Catch Basins shall be maintained after any major storm event.

Nuisance Exotics: (To be maintained by Owner)

Stormwater management system will be monitored continually for nuisance exotics to ensure that no regrowth occurs.

Pervious Concrete: (To be maintained by Owner)

Also, the drainage system serving this project consists of pervious concrete. The sands upper layer is rapid draining and the water table is 4 feet deep. Therefore, the maintenance will primarily consist of keeping the retention area free of debris and the pervious concrete free of clays.

- Once every ten years the pervious concrete can be flushed and vacuumed by a company specializing in this type of cleaning.
- Should the rainwater begin to pond, with the rainfall being less than 3 inches within a 4-hour period, then the pervious concrete is to be inspected and cleaned as stated above.



Ordinance 2487-2022 Staff Report

A. Application

Sailfish Cay Rezoning Application Number: Z21110003

Applicant	751 SE Central, LLC
Property Owner	Cypress Holding, LLC
Agent for Applicant	Johnston Group Development and Design, Inc.
Project Manager	Erin Wohlitka, Senior Planner
Date of Report	July 15, 2022

B. Executive Summary and Background

Executive Summary

The intent of this application is to request a rezoning from a Commercial Planned Unit Development (CPUD) to a Residential Planned Unit Development (RPUD) to allow the construction of 60 multifamily townhouse units on 4.88 acres of land located at 751 SE Central Boulevard.

The Applicant is requesting three waivers.

On June 9, 2022, the Local Planning Agency (LPA) unanimously recommended approval of the subject petition to the City Commission.

Staff recommends approval of Ordinance 2487-2022.

Background

The subject property was originally approved in the early 1980s as Phase VI of the multi-family residential Towne Park North Condominium project under R-3 zoning with a Future Land Use (FLU) of Multi-Family Residential. The connection of the site to the surrounding residential exists through remaining utility and drainage easements; however, this phase of the development was never constructed. In the mid-1980s, the property was developed as a church use by Abundant Ministries under the same R-3 zoning designation. In 1989, the City of Stuart adopted its first Comprehensive Plan and assigned a future land use category of Multi-Family Residential to the property.

On June 14, 1993, the City of Stuart City Commission adopted Ordinance 1293-93, approving a land use amendment from multi-family residential to institutional for the Abundant Life Ministries Church. The

zoning on the subject property remained R-3. The Abundant Ministries church remained on site until the mid-2000s when it was demolished.

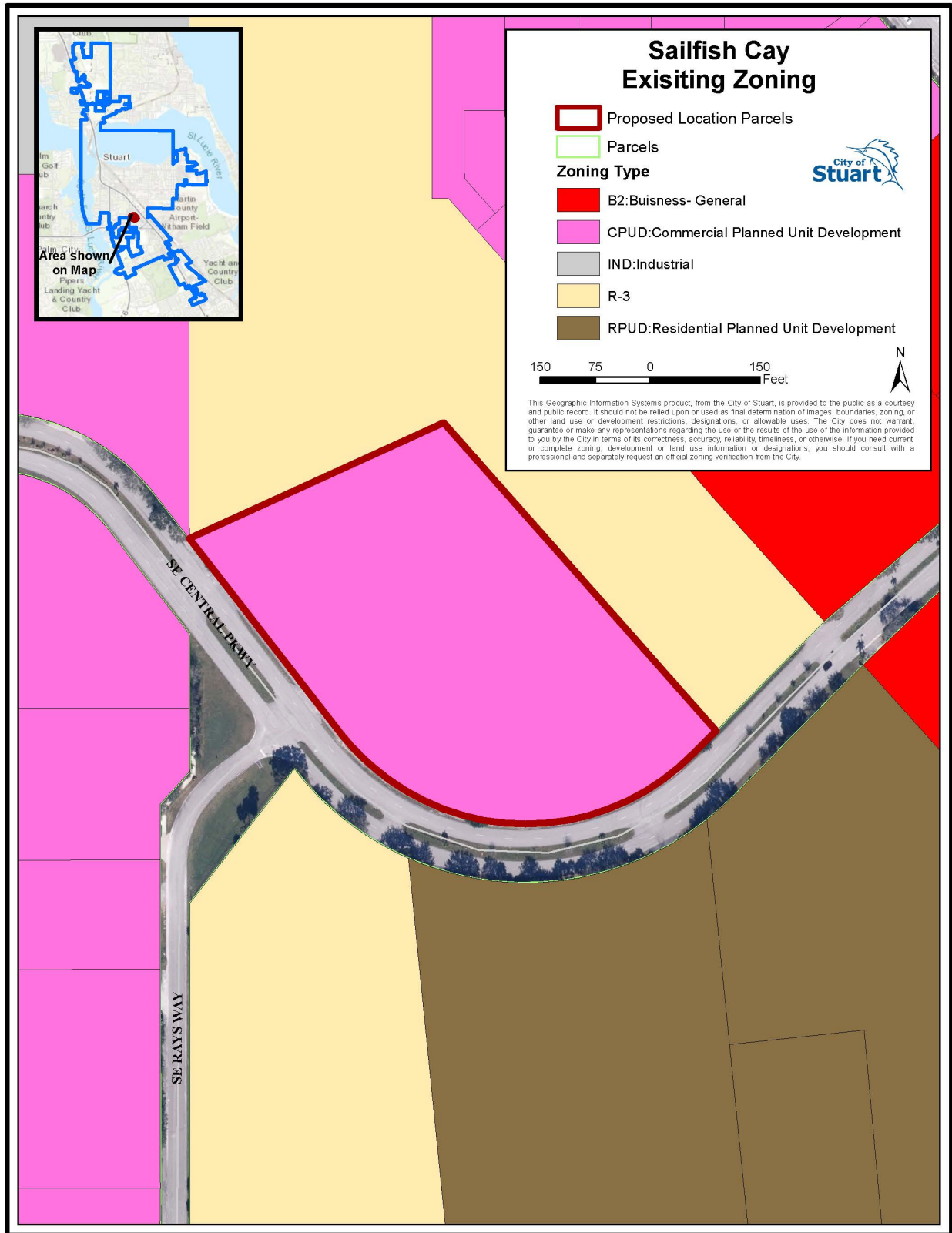
On May 14, 2007, the City of Stuart City Commission adopted Ordinance 2106-07, approving a land use amendment from Industrial to Commercial and a rezoning from R-3 to Commercial PUD (CPUD) to allow for a professional and medical office center. This project was never constructed. The site has remained vacant since the church was demolished.

C. Site Location and Information

Address	751 SE Central Parkway
Parcel Number(s)	09-38-41-011-000-00001-1
Existing Zoning	Commercial Planned Unit Development (CPUD)
Future Land Use	Commercial (C)
Site Area (acres)	4.88 Acres
Present Use	Vacant
Proposed Land Use Designation	Multi-Family Residential (MF-RES)
Proposed Zoning District	Residential PUD (RPUD)
Proposed Use	Multi-Family Townhome Community



Existing Zoning Map



B. Determination of compliance with Comprehensive Plan

The proposal complies with the following Objectives and Policies of the City of Stuart Comprehensive Plan:

Policy 1.A3.2. The City's Future Land Use Map and land development regulations shall direct development to areas where adequate utilities, services and schools exist or are planned in order to protect natural resources.

Staff Analysis: Due to the site's previous use as a church, utilities exist for this project. The Applicant has submitted modifications to existing utility easements and provided new utility connections, while upgrading the fencing and screening of the existing lift station. City staff has received a school capacity determination that states, "...the School District has determined that sufficient school capacity exists to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180." Public transportation is available at the eastern terminus of SE Central Parkway's intersection with the US Highway-1 corridor (via the Treasure Coast Connector), and at the western terminus of SE Central Parkway at its' intersection with Kanner Highway (via Route 3).

Policy 1.A7.1. The City of Stuart has designated the following land use categories and allowed uses for all land within the City of Stuart: ...**(B) Multi-Family Residential:** One to three or more dwelling units per building. Includes single family detached, duplex, townhomes, patio homes, garden homes, apartments, condominiums, foster homes, group homes of four or fewer unrelated residents, and adult congregate living facilities (ACLF) of five or fewer unrelated residents. A limited amount of Commercial is allowed. Stealth communication towers are allowed. Also, public facilities, churches, day care centers, schools and electric distribution substations are allowed.

Staff Analysis: The applicant has proposed a mix of 4-, 5-, 6-, and 7-unit townhome buildings on the subject property.

Policy 1.A7.2. Gross densities, gross intensities and proportional use amounts for each land use category are established in the "Table of Land Use Densities and Intensities" that is adopted as part of this element...

Land Use Category	CRA	General	UPUD, RPUD, or UCE	ALF	Residential	FAR	Non-residential
Multi-Family Residential	Out	<10 du/ac to 11.62 du/ac	<30 du/ac	<30 du/ac	70—100%	<0.5 FAR	0—30%

Staff Analysis: This project will be in compliance with the multi-family residential land use category as the proposed Residential Planned Unit Development (RPUD) will set the maximum density at 12.3 dwelling units per acre.

Objective 1.B1. - Compact Urban Form: Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form.

Staff Analysis: The applicant has proposed to build on a site that was already cleared and utilized for prior development as a church. The subject property is located within two miles of downtown

Stuart, thus providing a residential option close to the urban core of the City. Providing a residential land use in this proximity to downtown aids in the discouragement of urban sprawl and redeveloping a previously built site helps to achieve a compact urban form.

Policy 1.B3.2. All development shall be compatible with and complementary to surrounding land uses and shall not unduly affect existing approved activities.

Staff Analysis: The applicant has proposed a multi-family residential development that is surrounded on the north and west boundaries by the existing Towne Park Condominium project and the SE Central Parkway right-of-way to the south and east. Other uses along SE Central Parkway include office, multi-family residential and an assisted living facility. This is one of the last undeveloped sites on SE Central Parkway, which has existing multi-family residential projects on both sides of the roadway. Thus, the new development is compatible with and complementary to the surrounding land uses.

Policy 1.B3.7. Open spaces are relatively undeveloped areas used to enhance natural resource conservation, recreation, or aesthetic functions of an urban environment. Open spaces may include preserved wetlands, landscaped stormwater facilities, landscaped areas, playgrounds, parks, and golf courses.

Staff Analysis: The proposed project includes a passive park located in the rear of the site. This area currently exists with mature pine trees, most of which are proposed to remain. The applicant has provided walking trails and a bench for use by the residents of the Sailfish Cay community. The applicant also stated that this passive park can be used by the residents of the Towne Park Community if those residents wish to visit. The applicant has also worked with staff to beautify the SE Central Parkway right-of-way median in front of the project with sod, groundcover material, and flowering trees and palms. The applicant has agreed to install and maintain this right-of-way median landscaping in perpetuity.

Policy 1.B3.9. The City shall implement architectural and site design requirements for commercial development that utilize "Crime Prevention Through Environmental Design" principles include natural surveillance and defensible space. This shall include site designs that provide for unobstructed supervision of public activity areas and access points by occupants and law enforcement while conducting routine activities and thereby discouraging criminal activity.

Staff Analysis: The applicant has proposed a project where the front doors face the street, the lake, or the landscape buffer. Each of these units have a front yard with sidewalks connecting to each building throughout the community and off-site. This design allows for residents to have "eyes on the street" so they are able to look out for the health, safety, and welfare of their neighbors. The applicant has proposed low-level bollard lighting around these walkways to provide additional opportunities for lighting in addition to the light poles required by the City's land development code.

E. Project Details

Traffic

The City's Traffic Consultant, Kimley Horn and Associates, Inc., has completed the review of the applicant's Traffic Analysis and confirmed that the proposed development is consistent with the City's Concurrency Requirements. According to the Traffic Analysis, the proposed 60 townhome units will generate 41 AM peak hour trips and 46 PM peak hour trips and will not cause the levels of service to fall below acceptable levels in the future. Furthermore, the applicant has compared the 2007 commercial approval to the proposed multi-family use and determined that the current proposal would have 334 less daily trips, a 42.7% decrease in daily trips than what the approved commercial use would've generated.

Drainage

The City's Traffic Consultant, Kimley Horn and Associates, Inc. completed the review of the applicant's Stormwater Report and has confirmed that the proposed development meets the City's requirements for stormwater management. As stated within the applicant's drainage report, the project's stormwater management system will consist of a 0.5-acre lake that will treat stormwater generated from the proposed development as well as accepting off-site flows from the Towne Park Condominiums to the north. The ultimate outfall for the project will remain the same in the post development condition, which discharges stormwater to the south into the Towne Park South basin. Discharges eventually reach the Poppleton Creek and ultimately the St. Lucie River. The project proposes low-impact development, such as pervious pavers, bioswales and bunker inlets, as part of the stormwater management system to limit run-off, retain additional stormwater, and reduce overall nitrogen and phosphorus discharge loads.

Existing Site Details

The subject property was previously used as a church. All structures were demolished when the property was subject to a proposal for a professional office center that was never constructed. The site has since remained vacant but includes mature slash pine trees in the rear of the property as well as other sabal palm trees located in various areas on the site.

Proposed Project Details

Access and Circulation

Access is granted to the site through one point of ingress/egress along SE Central Parkway that aligns with Rays Way across the street. The entrance features an 8-foot-wide paver crosswalk and pervious brick pavers. The main access drive into the subject site is ungated. An entry sign is proposed to be located within the entrance median along with a 20-foot-tall specimen southern live oak tree amid other low-level landscaping. A bioswale with various grasses and groundcover that will thrive in wet conditions is located adjacent to the entrance drive. Vehicular circulation is provided via one internal loop that connects the rear-loaded garages of all the townhome buildings. Pedestrian circulation is provided through an interconnected system of 8-, 6-, and 5-foot-wide sidewalks. An 8-foot-wide sidewalk is located along SE Central Parkway and is connected to the 5-foot-wide internal sidewalks by a 6-foot-wide path in between buildings 11 & 12. The City's code requires 8-foot-sidewalks; therefore, the applicant is requesting a waiver to deviate from this requirement in order to provide 5- and 6-foot-wide sidewalks. Further analysis of this waiver is provided on page 9 of this report.

Building Area and Site Layout

The applicant has proposed a total of 60 townhome units within 12 townhouse buildings. The structures range between 4-7 units per building. The proposal includes five buildings that front SE Central Parkway, three buildings that front the ½ acre lake, and four buildings that front the landscape buffer. The building frontages include fenced-in front patios with a gate that connects to the interconnected sidewalk system. It is important to note that staff and the applicant have been working to provide a missing link of this sidewalk system from Building 8 to Building 7. Staff has been told that the Applicant will provide revised plans to City Commission that shows a sidewalk connection from north of Building 8 to Building 7, thus allowing Building 8 residents to safely access the passive park without walking in the drive aisle.

The buildings are rear loaded and are all connected through the internal vehicular loop that connects at the ingress/egress point located on SE Central Parkway. A passive park with preserved slash pines and additional native vegetation is proposed in the rear of the project site. Benches and doggy stations are proposed within the passive park and other areas of the community.

Parking

The City's code requires two (2) parking spaces per multi-family dwelling unit (two (2) or more bedrooms) and garages can count towards required off-street parking. The applicant has provided two-car garages in the rear of every dwelling unit in order to meet the required 160 parking spaces on site. The applicant has also provided an additional 37 parking spaces, 22 of which are proposed on-street and 15 are internal to the site along the vehicular loop, for guest and handicap use.

Pursuant to the City's parking code requirements, two bicycle parking spaces (one bicycle rack) per ten units are required. The applicant has met this requirement by providing six (6) bicycle racks and twelve (12) bicycle parking spaces in various locations of the development (all adjacent to sidewalks).

Landscaping, Open Space, and Native Vegetation Area

City staff has reviewed the proposed landscaping and the applicant's proposal meets and exceeds the requirements set forth in the City's landscape code. The applicant is proposing a landscape palette consisting of 100% native plant material on the subject property. The proposal provides a total 128 trees within the perimeter buffer and 203 trees within the interior of the site, far exceeding the code requirements for buffer and interior trees. Additionally, the project preserves a total of 16 trees onsite, 11 of which are mature slash pine trees located in the rear of the site where the applicant is proposing a passive park. As previously stated, the project entrance will be landscaped on both sides with trees and groundcover. In the entrance median, various groundcover species and a 20-foot-tall specimen southern live oak is proposed. Furthermore, the applicant has agreed to beautify the SE Central Parkway roadway median by installing and maintaining 8 Alexander Palms, 11 Pink Tabebuias, sod, and groundcover. The City's code requires 30% of open space within the project. The proposal exceeds this requirement through the provision of 30.4% open space. Additionally, the code requires a minimum of 25% for a native vegetation area. The applicant has provided a total of 28.3% of a native vegetation area. Finally, the applicant is permitted a maximum of 65% impervious area. The applicant is requesting to deviate from this code requirement and is requesting a waiver for an additional 4.7% impervious. A further breakdown of this waiver request is located on page 9 of this report.

Architecture

The applicant's proposal includes significant architectural features with the provision of vertical and horizontal projections and recesses, tower features, balconies, shutters, and cladding. As previously stated, the buildings are rear-loaded, and the air conditioning units are proposed on the sides of each building so as to not interfere with the enjoyment of the residents while on their front patios. The orientation of the buildings create interaction with the public street, ensuring a connection between the development and the community.

Signage

The Applicant has provided staff with a location and design for the proposed monument sign. The monument sign meets the setback requirements and the scale and conformity with the overall development.

Waiver Requests and Analysis

#	CODE	REQUIREMENT	PROPOSED	WAIVER REQUESTED
1	<i>Section 2.04.01, Table 5, Residential Area, Impervious Surface Coverage, Setback and Height Requirements</i>	25-foot front setback	10-foot front setback	15 feet
2	<i>Section 2.04.03(C), Increased impervious surface coverage allowances for residential zoning districts</i>	65% Maximum Impervious Surface Coverage	69.7%	4.7%
3	<i>Section 6.01.04(B), Sidewalks and bikeways</i>	Eight-foot-wide sidewalks	5-foot-wide sidewalks	3 feet

- (1) The applicant has requested a waiver for the front setback for the buildings fronting SE Central Parkway. In order to create an urban walkable neighborhood, it is important to provide buildings that are close to and front the street create interaction between the development and the community. Staff recommends approval of this request.
- (2) The applicant has requested a waiver for the amount of impervious surface coverage. The code allows for single-family and two-family dwellings in all residential districts to increase the amount of impervious area to 65%. Townhouses function more similarly to two-family duplexes than they do multi-family apartments and condominiums; as such, this code section is more appropriate to be utilized for this project than the multifamily requirement. The applicant has determined that the soils of the site are proven to accommodate the additional runoff via soil boring tests by the registered professional engineer. In addition, the applicant is exceeding the requirements for stormwater management through the utilization of low impact development that aid in the filtration of water. The applicant has proposed bio swales, pervious pavers, and rain bunkers. Staff recommends approval of this request.
- (3) The applicant has requested a waiver to deviate from the required sidewalk width. The applicant has provided the required 8-foot-wide sidewalk along the SE Central Parkway right-of-way. The internal sidewalks are proposed at 5 feet, which the applicant feels is sufficient for the residents to use to walk to the passive park, pool, or cabana. Staff recommends approval of this request.

F. Conclusion

Staff has reviewed the subject petition for a rezoning from Commercial Planned Unit Development (CPUD) to Residential Planned Unit Development (RPUD) located at 751 SE Central Parkway.

City staff and the City's consultants have determined that the proposal meets the requirements of the Land Development Code, subject to the waivers requested herein. The project complies with many objectives and policies within the City's Comprehensive Plan and supports compact urban development with the proposed front setback reductions, interconnected sidewalk system, on-street parking, dense landscaping, and architecture with front-porches and rear-loaded garages.

Staff recommends approval of Ordinance 2487-2022.



City of Stuart
121 SW Flagler Ave.
Stuart, FL 34994
development@ci.stuart.fl.us
(772) 288-5326

Received by: _____

Reviewed by: _____

Rezone Real Property Application

(including Planned Unit Developments)

Project ID# _____
(Staff Entry)

Pre-App Conference Date: October 4, 2021	Application Date:
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SITE INFORMATION

Project Name: Sailfish Cay	Parcel ID#: 09-38-41-011-000-00001-1
Site Address: 751 SE Central Parkway	
Subdivision: Towne Park	Lot(s): N/A
Site Area/Acreage: 4.88	Flood Zone/Base Flood Elevation: X
Existing Zoning District / CRA Subdistrict: CPUD	
Proposed Zoning District / CRA Subdistrict: RPUD	
PUD Rezoning (Check the box below that applies):	
Rezoning to CPUD:	☐ Rezoning to UPUD
Rezoning to RPUD:	☒ Rezoning to UPUD <5 Bungalow Units:
Rezoning to MXPUD:	☐ Rezoning to Public Service PSPUD:
Rezoning to Industrial IPUD:	☐ Rezoning to Non-PUD District Rezoning:
Current Comprehensive Plan Future Land Use Designation: COMM	
Proposed Comprehensive Plan Future Land Use Designation (if applicable): Multi-Family Residential	
Existing Land Use: Vacant	Proposed Land Use: Townhomes
Proposed Square Footage (if applicable):	Proposed Density (if applicable): 12.5 du/acre

PETITIONER INFORMATION

Property Owner: Cypress Holding, LLC	Phone Number / Email Address: (609) 921-6060 ext. 104/ gmaletta@hiltonrealtyco.com
Property Owner's Mailing Address: 902 CARNEGIE CENTER STE 400 PRINCETON NJ 08540	
Applicant (if not Owner): 751 SE Central, LLC	Phone Number / Email Address: (561) 691-4552
Applicant's Mailing Address: 224 Chimney Corner Lane, Suite 3032 Jupiter FL 33458	
Agent/Contact Person: Liz Levesque, AICP / Johnston Group Development and Design Inc.	Phone Number / Email Address: (561) 691-4552 / liz@johnstongroupinc.com
Agent's Mailing Address: 224 Chimney Corner Lane, Suite 3032 Jupiter FL 33458	
Architect: Chandej Limpabandh / PCL Design Inc.	Engineer: Rod Kennedy / EDC
Planner: Liz Levesque, AICP / Johnston Group Development and Design, Inc.	Landscape Architect: Jason Litterick / Litterick Landscape Architecture

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared Jeffrey H. Sands, Managing Member of Hilton Realty Co., L.L.C., the Sole Member of Cypress Holding, LLC,
Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a townhome residential project in the City of Stuart, FL.
3. That he/she has appointed Johnston Group Development and Design, Inc. to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Cypress Holding, LLC, By: Hilton Realty Co., L.L.C., Sole Member

Signature of Owner:

902 Carnegie Center, Suite 400

Street Address

P.O. Box

609-921-6060 x-109

Telephone Number

jsands@hiltonrealtyco.com

Email Address:

Jeffrey H. Sands, Managing Member

By: Name/Title

Princeton, New Jersey 08540

City, State, Zip Code

City, State, Zip Code

609-924-1992

Fax Number

STATE OF FLORIDA, COUNTY OF MERCER

Sworn and subscribed before me by means of ☒ physical presence or ☐ online notarization, this

25th day of October, 2021 By Jeffrey H. Sands, the Managing

Member of Hilton Realty Co., L.L.C., the Sole Member of Cypress Holding, LLC,

Personally Known OR Produced Identification

Type of Identification Produced:

Kathleen M. Boyd
Notary Public

Kathleen M. Boyd

NOTARY PUBLIC OF NEW JERSEY

My Commission expires:

Commission Expires

April 2, 2023

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Financial Responsibility Form

(Please Print or Type)

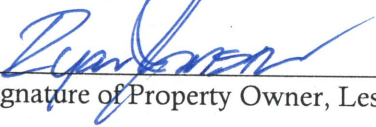
The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Ryan Johnston
Title: President
Company: 751 SE Central, LLC
Company Address: 224 Chimney Corner Lane, Suite 3032

City/State/Zip Code: Jupiter, FL 33458
Telephone Number: (561) 691-4552
Facsimile Number: (561) 691-4553
Email Address (optional): ryan@johnstongroupinc.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 2nd day of NOVEMBER, 2021.



Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Application Requirements

Fees (check box): This does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees.			
Rezoning to CPUD	\$3,638.00	☐	Rezoning to UPUD
Rezoning to RPUD	\$3,638.00	☒	Rezoning to UPUD < 5 Bungalow Units
Rezoning to MXPUD	\$3,638.00	☐	Rezoning to Public Service PSPUD
Rezoning to Industrial IPUD	\$3,638.00	☐	Non-PUD District Rezoning

Submittal Requirements: A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, and a site plan. (Note: A concept plan may, at the discretion of the applicant, be submitted instead of a site plan. However, in doing so the applicant acknowledges that a site plan will need to be submitted for City Commission approval prior to making application for a development permit.) The data requirements for a site plan and a concept plan are available at the Development Department.

Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application. The Local Planning Agency (LPA) is required to hold an advertised public hearing and formulate a recommendation to the City Commission. The City Commission is also required to hold an advertised public hearing after which it may approve, approve with conditions, or deny the application.

Written justification supporting the application and demonstrating how the application:

- Is consistent with the relevant components of the City of Stuart Comprehensive Plan including concurrency with adopted levels-of-service for utilities/facilities and compatibility with existing/planned uses and
- Complies with the relevant development standards of the City of Stuart Land Development Code *(include additional pages if needed).*

(over)



751 SE Central Parkway Townhome Multi-Family Residential

Project Narrative

Request: Rezoning/ Site Plan Review

Address: 751 SE Central Parkway, Stuart FL

First Submittal Date: November 5, 2021

Second Submittal Date: January 7, 2022

Third Submittal Date: February 22, 2022

Fourth Submittal Date: March 25, 2022

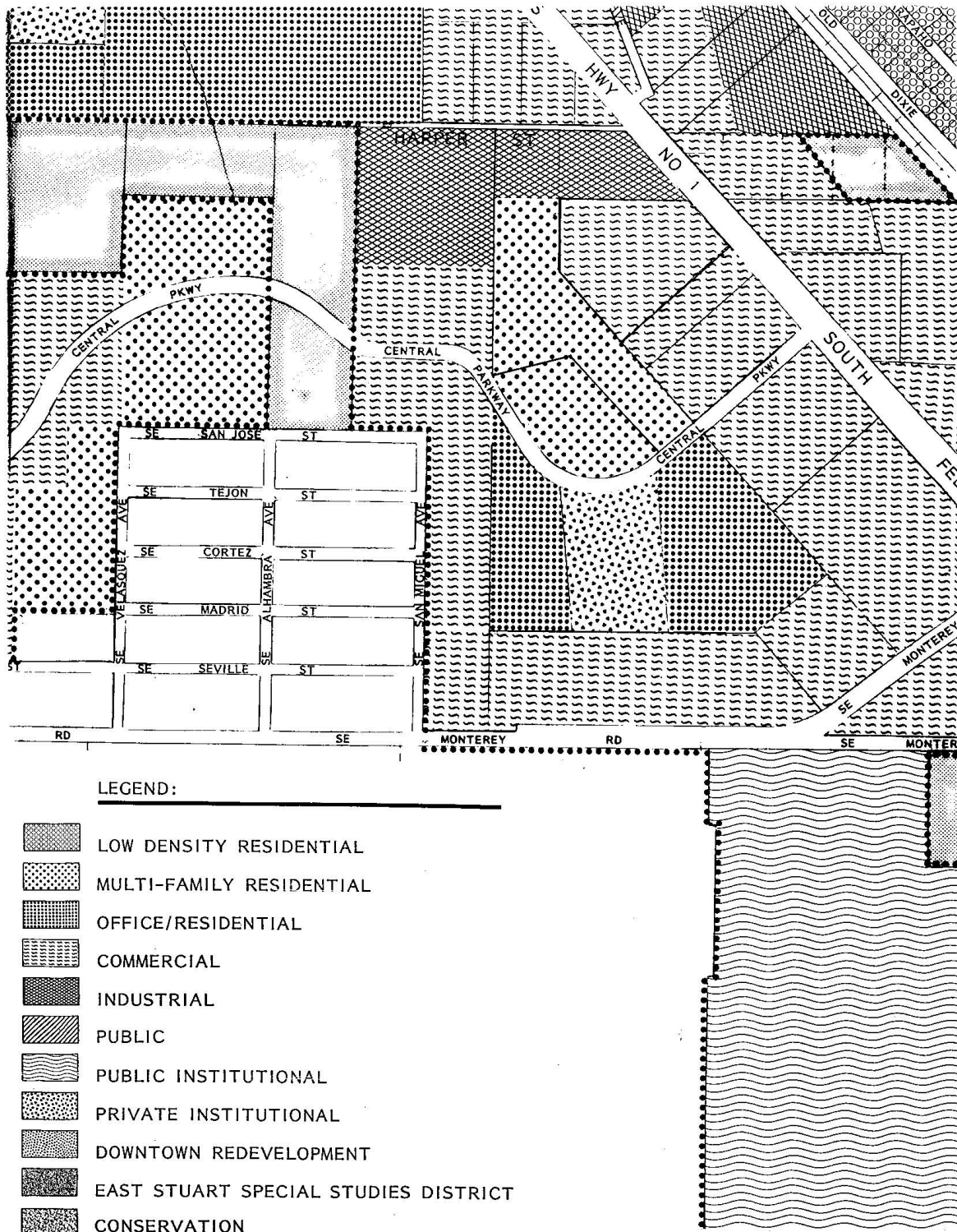
Overview of Requests & Property Introduction:

On behalf of the applicant, 751 SE Central, LLC, Johnston Group Development and Design has prepared and respectfully submits this request for a rezoning and site plan review for a multifamily townhome project on the currently vacant site at 751 SE Central Parkway.

The subject property, consisting of approximately 4.88 acres (Property Control 09-38-41-011-000-00001-1), is located on the north side of SE Central Parkway, northeast of the intersection of SE Central Parkway and SE Rays Way, approximately 0.15 miles southwest of SE Federal Highway/US 1.

The property was originally approved in the early 1980s as Phase VI of the multi-family residential Towne Park North Condominium project under R-3 zoning with a Future Land Use (FLU) of Multi-Family Residential. The connection of the site to the surrounding residential exists through remaining utility and drainage easements. This phase of the development was never built, and the property sat vacant for some years. The property was developed as a church use by Abundant Ministries in the mid-1980s under the same R-3 zoning designation. In 1989, the City of Stuart adopted its first Comprehensive Plan, and visualizing the original intent of the property as residential, assigned a land use of Multi-Family Residential to the property (See **Image I** below).

Image I
Property's Original 1989 Future Land Use



Source: City Staff Report Regarding Comprehensive Plan Amendment from Multi-Family to Institutional

In 1993, the property was subject to a Land Use Amendment from Multi-Family Residential to Institutional as the church use was rendered non-conforming with the assigned Multi-Family Residential land use. This Land Use change from multi-family residential was highly controversial with the adjacent Towne Park residents. The zoning remained as R-3.

The Abundant Ministries church remained on site until the mid-2000s when it was demolished. In 2007, a national recession hit, devastating the homebuilding industry with many homebuilding businesses failing. During this time of recession, the property was sought out for commercial development as residential was not a viable development option at that time. The site was rezoned to Commercial Planned Unit Development (CPUD) with a future land use change to Commercial (C). A master plan for a 7-building commercial office project was approved in conjunction with the rezoning and comprehensive land use change, but this project was never constructed. Since that time, no other entitlements have been granted on the property, leaving the property vacant for another 15 years.

The City has observed both commercial and residential development along Central Parkway over the past 40 years but the subject parcel has remained vacant throughout most of this time. The appropriateness of the site for multi-family residential use is apparent with the original approval as Phase VI, VII and VIII of the Towne Park condominium development and the initial designation of Multi-Family Residential land use in the 1989 Comprehensive Plan.

The current proposal includes a small-scale comprehensive plan Future Land Use amendment from Commercial back to the originally intended Multi-Family Residential (MF-RES) and a rezoning request from CPUD to Residential Planned Unit Development (RPUD) to allow for the 100% residential use as proposed. The site plan application includes 60 two-story townhomes, averaging 1,800 SF in size, all rear loaded with an interior drive. Details on the site plan and its benefits to the City and surrounding communities can be found throughout this document.

Surrounding Uses:

The properties to the northeast and northwest are part of the original Towne Park North Condominium development; a project that initially included the subject parcel. To the south of the property, across SE Central Parkway, are a mix of residential and commercial uses including small professional office and an assisted living facility.

Community Meetings

The applicant had two meetings with the Towne Park Board, on November 17, 2021 and February 16, 2022, and an on site meeting with the Board president on March 24th, 2022. Renderings, site and landscape plans were shown at the meetings and the Civil Engineer attended on February 16th at the request of the Board to answer questions regarding drainage and sanitary connections. The Board was receptive of the project and the applicant has not received any negative feedback regarding the project.

Pre-Application Meetings

A series of pre-applications meetings were held between Johnston Group and City staff on May 15th, 2021, August 19th, 2021 and October 4th, 2021. The progression of the site plan was discussed

throughout these meetings. As the plan was modified, both the density the height decreased from three-story to a two-story townhome product to ensure compatibility with surrounding properties.

Site Design

The proposal includes 60 two-story townhomes, oriented around an internal access drive and connected by pedestrian sidewalks. The design incorporates amenity areas and balances the community and private use for future tenants.

Unit/Building Design

The townhome units are rear loaded with a two-car garage. The units range in size and include three and four bedrooms with the larger units on the ends of the building rows. The number of units in each building row vary; the proposal includes a four-, five-, six-, and seven-unit building type. The proposed separation of the buildings allows for the necessary fire separation by Code.

The units all have a front patio area, which depending on their location, have a different view. The units along SE Central Parkway have more of an urban setting, their patios areas having a view of the SE Central Parkway streetscape, separated via hedge and a low pedestrian height fence and individual unit gate. The internal units either have frontage along the lake or along the dense 30-foot landscape buffer, which serves as a garden type view.

Lot Configuration

The individual lots for the fee-simple townhomes shall fully match the building footprint including the individual patios, but not extend further outside of that footprint. Everything outside of the building footprint shall be dedicated as common area. A conceptual lot plan has been provided with the submittal plans. The flexibility from the R-3 code has been included within the provided table within this document as the individual lots will be much smaller than the standard R-3 zoning allowance, but typical for a townhome community within an RPUD.

Parking

Parking is spread throughout the community, including a two-car garage for each unit, pervious paver guest spaces interior to the property, and parallel parking along SE Central Parkway. With the unit's front doors facing this right-of-way, parallel parking is essential for guest parking access for the units. The on-street parallel parking was proposed as pervious pavers but were changed to standard asphalt as the applicant has been informed by Staff that the City does not allow for pervious pavers within the ROW. Pervious concrete must be pre-fabricated to meet City requirements; pre-fabricated pervious concrete is similar to pervious pavers in that they come in individual pieces. The maintenance of pervious concrete would be similar to pervious pavers, and therefore can also not be proposed within the ROW.

Pedestrian Connectivity

The proposed development incorporates internal pedestrian connectivity via sidewalks, which not only provide connection from the parking areas to the front doors but also provide for a recreational path. An eight-foot sidewalk is proposed along the entire length of SE Central Parkway, connecting the site to adjacent commercial uses on SE Federal Highway as well as to recreational uses including the dog park on SE Central Parkway. A six-foot sidewalk connects the eight-foot sidewalk to the internal site, with the remaining sidewalks at a comfortable 5-feet for residential use.

Beyond the requirement for including an eight-foot sidewalk along the property's boundaries, the applicant is proposing to construct a sidewalk within the ROW along the Towne Park property in order to prevent a gap in the sidewalk between the commercial property that is on the southwest corner of the Central Parkway and Dixie Highway intersection and the subject parcel. The existing right-of-way width along Towne Park will not accommodate a full 8-foot sidewalk; however there is sufficient room to accommodate a six-foot sidewalk to meet City regulations.

Recreation/Amenity

Although the PUD amenity guidelines are not mandatory, there are recommended PUD amenities demonstrates that the application meets the purpose of the Land Development Code (LDC). The amenities that this PUD are demonstrating include the following:

- Stormwater Detention
 - The stormwater management system for the site has an excess water quality volume of 730%. Stormwater management is proposed on site through the incorporation of three bioswales, pervious pavers and additional treatment within the retention lake. The planted bioswales are designed to remove silt and pollution from surface runoff water on the site. The curb line along the linear bioswale south of the lake area is a D-curb designed with rain garden style bunker grates rather than D-curb storm inlets, letting stormwater run directly from the internal roadway into the bioswale area to be pre-treated by natural means before entering the bioswale. Because ground water is so low, the raised weir in the lake allows for an excess treatment.
- Stormwater Treatment
 - The applicant is proposing three bio-swales within the project, including along the south side of the lake, south of Building 1 and east of the entry drive. The bioswale that is east of the entry drive will abut the public sidewalk. The bioswale will be planted with native landscaping including cypress and red maple trees and cordgrass and muhly grass which will create an aesthetic entry feature for the public walking past to enjoy along with the residents. The rain garden bunker provides pre-treatment with 60-90% removal of sediments and larger debris prior to entering the bioswale, rather than stormwater running directly into the bioswale from the roadway. The low impact development techniques reduce overall nitrogen and phosphorus discharge loads. The total site removes nitrogen and phosphorus, including 1.13 inches of treatment through the exfiltration trench and 1.31 inches of treatment through the retention pond. With the addition of a raised bleeder, extra nutrient loading reduction is proposed beyond what is required.
- Preserved Slash Pine Passive Park
 - The applicant has preserved 12 existing slash pines, including the largest pine tree on the site (24" diameter at breast height (dbh)) and is proposing a passive park area for the enjoyment of the Sailfish Cay community. The park is proposed with new native landscape in addition to the preserved slash pines, with pedestrian walkways, benches and doggy care stations.
- Significant Architecture
 - The applicant is proposing significant architectural features including vertical and horizontal projections and recesses, tower features, balconies and cladding. The

applicant has incorporated shutters on the rear of the facades and landscape screening on the sides. The balconies and Bahama shutters, along with the projections, create articulation throughout the facades that face the street and neighboring communities. The orientation of the buildings creates interaction with the public street, ensuring a connection between the development and the community.

- Enhanced pedestrian facilities
 - The applicant is proposing shade trees along the Central Parkway and interior sidewalks to create shaded walkways for pedestrians within the community and connecting to the Central Parkway right-of-way. A passive park with preserved slash pines and additional native vegetation is proposed within the community, connected with internal pathways. Benches and doggy stations are proposed within the passive park and throughout other areas of the community. The eight-foot sidewalk along Central Parkway with proposed shade trees encourage the use of public walkways while traveling to adjacent parks, commercial areas, or other amenities. The additional sidewalk connection along Towne Park will prevent a gap in the sidewalk that connects Central Parkway to Dixie Highway. The applicant will construct at its sole cost this additional sidewalk segment.
- Job Creation
 - The construction of this PUD will create 300-400 jobs over a two-year construction period.

The proposal includes a community pool area adjacent to the retention lake amenity, with associated restrooms and a mail room in a small cabana building.

Public Benefit

A large portion of the aforementioned PUD amenities benefit the public, including the sidewalk extension along the Towne Park right-of-way, bio-swales adjacent to the Central Parkway right-of-way, proposed shade trees along Central Parkway, and preservation of native landscape, but there are other proposed improvements which benefit the public. These include:

- Housing in close proximity to the downtown (within 2 miles). The housing provided will be in the top tier of workforce housing percentages (see housing section within this document) and will provide opportunities for families and individuals to live close to the downtown jobs, restaurants, parks and other amenities.
- The parallel parking along Central Parkway shall be open to the public on a first come first serve basis.
- The improvements to the Central Parkway right-of-way will include improvements to the stormwater drainage. Also included will be street beautification in the form of median landscape plantings, landscape islands along the parallel parking and street trees that provide shade for pedestrians along the eight-foot public sidewalk.

Landscape/Open Space

A dense landscape buffer with three-level landscape plantings (ground, mid, and canopy) is proposed around the internal property lines, separating the development from the existing

residential development along the northeast and northwest of the property. An aluminum fence has been included within the landscape buffer at the request of the Towne Park community. The purpose of the fencing is to ensure that residents and guests of Sailfish Cay do not park on the Towne Park property. A small hedge is proposed along SE Central Parkway, enough to create a separation between the public sidewalk and private patio while keeping the urban effect of public and private space blending into one. Littoral planting will be planted around the perimeter of the lake, including some littoral shelf areas to help provide a more natural shape to the retention lake. The site has been planted with 25% native vegetation, meeting the requirement of RPUDs in the City.

Twelve existing slash pines have been preserved on the site between Buildings 5 and 6, with the preserved area serving as a passive park with a pedestrian pathway, benches and doggy care stations. To properly mitigate any existing trees that have been removed and meet the City requirement, the applicant is proposing four 20' live oak trees which provide shade canopy for pedestrians along Central Parkway and within the development and proposing new slash pines within the buffer areas. The applicant is preserving existing trees within the buffer area and proposing trees of varying heights to better buffer the property from neighbors.

The bioswales will all be fully planted with native vegetation including muhly grass, cord grass, red maple trees and cypress trees. The bottom of the swale will not be visible through the plantings.

Wellfield Protection Area

A portion of the site is within a wellfield protection area. The project's Civil Engineer has reviewed the requirements for development within this area, including prohibited activities and has found that the requirements of per Section 4.147 of Martin County Code have been met, as referenced within the City of Stuart's Code of Ordinances. None of the prohibited activities apply, except for the inclusion of stormwater retention, but as there are no public potable water supply wells within 300 feet of the proposed retention area, the retention area is permitted at the proposed location.

Stormwater and Drainage

The proposed development will meet all requirements for stormwater retention and provide for an An excess water quality volume of 730%. In addition to meeting requirements for the development's own drainage, the project's system also must account for an existing drainage easement in favor of Towne Park.

Beyond meeting standard drainage system techniques, the development is proposing low impact development techniques including pervious pavers, bioswales to allow for sheet flow to drain directly into bioswales rather than directly into inlets with additional treatment by rain garden bunker drains. The bioswales allow for additional pollution loading and additional stormwater capacity beyond the standard stormwater capacity requirement. The placement of the bio-swales, fully planted with native vegetation, will create an aesthetic focal point at the project's entrance.

Vehicle Access

The entry drive aligns with Rays Way. The entrance has a median separating the ingress and egress. The site is not gated which helps to prevent vehicle stacking at the entrances. The roadway is proposed a 20' width to meet the requirement for fire truck maneuvering.

Vehicular Traffic

Per the Traffic Engineer, the project has a de minimus impact, generating 41 AM peak hour trips and 46 PM peak hour trips. The entry drive, aligned with Rays Way, allows for both right and left turn movements for vehicles. The submitted long range analysis indicates the massive decrease in traffic that would result from the conversion from commercial to residential future land use, when looking at the maximum build out scenarios. Comparing the 2007 commercial approval to the proposed multi-family use, the current proposal would have 334 less daily trips, a 42.7% decrease in daily trips from the commercial use.

Compatibility with Surrounding Properties

The subject property was originally intended as multi-family residential, as made evident by the City's first Comprehensive Plan which gave the property a multi-family residential land use designation. The property was initially part of the Towne Park development and as such, the development has been designed with the intent to be compatible with the surrounding Towne Park development in terms of height and density. Even with consistent design, the applicant is still proposing a dense landscape buffer with fencing to maintain the privacy of the Towne Park residents by providing ample screening between the new and existing development. As previously stated, the fencing is proposed at the request of the Towne Park community.

The existing private recreation easement is proposed to be abandoned to allow for the landscape and fence within the buffer at the request of Towne Park. The guest parking spaces are fully screened with landscape material and aluminum fencing.

Focal Point

The focal point of the project's entrance is the lake feature, which will include littoral planting and a fountain in the center of the lake, and a planted bio swale along the south side. The median will contain a monument sign, with a specimen live oak tree and landscape design to provide for an aesthetic view into the project from the public realm. Pervious pavers and a paver crosswalk design are incorporated to create an enhanced visual feature and a bioswale planted with native vegetation at the east side of the project's entrance will further enhance the entry design.

Housing Component

This project is not receiving any grants or funding for the construction of affordable or attainable housing. The proposed zoning of Residential PUD and FLU of multi-family residential does not include any specific requirements for attainable housing, however based on anticipated sale prices, the assumed mortgage payment would be within the top tier of the workforce ("moderate income" housing range of 80-120% of the area median income (AMI)).

According to the Federal Housing and Urban Development department, the current AMI of this area in Martin County (based on the Palm Coast HUD Metro Area) is \$71,500 (data source: U.S. Department of Housing and Urban Development, 2021). Workforce housing is typically defined as housing that is attainable for households with incomes from 80 to 120 percent of the AMI which in this location in 2022 would be \$57,200 - \$85,800, although the exact percentages can vary between municipalities (some include up to 140% of the AMI as "workforce housing"). One hundred and twenty (120) percent of the applicable AMI is \$85,800. Adjusted for a family of three, 120 percent

of the AMI in Martin County is \$77,280. According to the Florida Senate's definition of "affordable", what is considered affordable for families within various income levels is monthly mortgage payments or rent including taxes and insurance that do not exceed 30 percent of annual gross income (Definition taken directly from Florida Senate Bill 1339 (2020)). Thirty percent of \$77,280 is \$23,184 which divided by 12 would be a monthly payment of \$1,932. The estimated monthly mortgage for the proposed three bedroom townhomes, assuming standard down payment of 3% with a mortgage rate of 3.92% is approximately \$1,926 which is within the 120% monthly payment. Although not within the defined affordable or attainable housing ranges, which are typically built through federal or local grants and viable only with grants and density bonuses, the proposed development is providing a number of units within this top tier of the 120% workforce range.

The demand for market rate housing is extremely high, with a vacancy rate of only 0.9% nationwide (according to the US Census). The demand for housing has increased since the City set previous goals for providing a set number of residential units; this project will help meet the residential needs of the community. The proposed townhomes will be priced substantially lower than current asking prices for similarly sized single-family homes in Stuart, thereby providing a lower cost option. The local developer is proposing high end architecture, pervious pavers, and bio-swale systems with rain garden bunker inlets, which create an aesthetically designed community, but this comes at a cost. To offset the cost for improvements, with no grant funding, the units must be sold at a certain level to be viable.

Architecture

The proposed architectural style of the two-story townhomes is a transitional coastal design, intended to be consistent with the small-scale coastal vernacular throughout the City of Stuart. The architecture includes fenestration in the form of Bahama shutters, tower elements and cladding.

The building footprint include a 4-unit, 5-unit, 6-unit and 7-unit building type. Each building is comprised of a mixture of two or three types of units. A and B units are three-bedroom, with the larger end C units containing four bedrooms.

Each unit has a two-car garage in the rear. Every unit has a paver patio in the front yard, with room for sod and landscape to provide aesthetic feature to the front doorways. Each patio connects to a pedestrian sidewalk (internal or along Central Parkway).

The orientation of the front doors and patios provide a variety of views including lake view, urban street view, or garden landscape view along the dense buffer. The units present a different type of living experience for residents.

Sign Plan

One monument sign is proposed within the project's entry median. A sign elevation and rendering is attached as part of this application. The sign design is complimentary to the proposed architectural elevations and meets the City sign regulations.

Compliance Analysis

Comprehensive Plan Standards Compliance

Concurrency/Level of Service

The project complies with the Comprehensive plan standards, notably Policy A.A3.2 which directs development to areas where adequate utilities, services and schools exist. This site was initially planned as part of the development of Towne Park North Condominium project. There are existing water lines for connection, as the previous church site was serviced. The property has a lift station on-site that services the adjacent communities and will service this development. As no large extension to utility services will be required, the property is able to maintain the Level of Service standards adopted under the Comprehensive Plan.

The project aligns with the Level of Service standards in Element VIII, Objective A3, Policy A3.1 to provide adequate public facilities and services as follows:

Facility	Level of Service Standard	Level of Service Provided
Sanitary Sewer Facilities	80 gallons per capita per day for residential	250 gallons per day per equivalent residential connection
Solid Waste Facilities	3.5 pounds per capita per day (residential)	LOS met with individual bins for each residential unit as provided by City of Stuart
Drainage Facilities	Retention of half of the runoff from a 25-year, 3-day duration storm event on parcels greater than 1 acre or 10-year 3-day duration storm event on parcels less than 1 acre	The stormwater management system for the site complies with Stuart LDC Chapter VI, Section 6.03 as well as South Florida Water Management Environmental Resource Permit Applicant's Handbook Volume II, which follows state standards Rule 40E-4.091(1)(a) and Rule 62-330.010, F.A.C.
Potable Water	250 gallons per day per equivalent residential connection	250 gallons per day per equivalent residential connection
Recreation Facilities	3 acres of developed community park per 1,000 permanent and seasonal	Passive park included within community for residents

	residents	
Transportation Facilities	LOS E at peak hour for arterials with exception in Policy A3.1	Level of service met, please see provided traffic statement.
Public Educational Facilities	<i>Public Educational Facilities.</i> The City, through its capital improvements element, shall ensure that the capacity of schools is sufficient to support residential subdivisions and site plans at the adopted level of service (LOS) standards. These standards shall be consistent with the Interlocal Agreement for School Facilities Planning and Siting agreed upon by the County, the School Board, and the City of Stuart. The City hereby adopts level of service standards as detailed within Policy A3.1	Level of service met, please see approved school concurrency form.

Future Land Use Category/Maximum Build Out

The project was initially given a future land use category of multi-family residential when the City's first Comprehensive Plan was adopted in 1989. The existing Future Land Use (FLU) of Commercial was established in 2007 during a recession, when the site was rezoned to allow a commercial use, a development that was never built. Prior to that, the FLU was Institutional as part of a FLU amendment from multi-family residential to Institutional to make the church use conforming with the assigned land use. Before this Church use, the property had an approval for multi-family residential use. As the current FLU of Commercial only permits up to 15% of residential uses on the site per Policy 1.A 7.2 of the City's Comprehensive Plan, the proposed development requires a FLU amendment to allow for the original intended use of multi-family residential. The proposed FLU of multi-family residential is necessary to allow the 100% residential use as proposed with this development.

The Current FLU of Commercial permits up to 100% of Commercial Use FAR and up to 15% of residential use. As such, the site would be permitted up to 106,359.9 SF of commercial use and a density of 21 residential units. The applicant's proposal for multi-family residential FLU permits 30% of Commercial Use FAR and up to 100% of residential use at a maximum density of 30 dwelling units per acre (du/acre), which would permit up to 31,907.97 SF of commercial use and a maximum density of 146 residential units (30 du/acre). With this submittal, the applicant is proposing to re-establish the original intended use of multi-family, a use that is less intensive from a long range transportation analysis standpoint and is more compatible with the surrounding residential

community. As detailed within the submitted Long Range Traffic Analysis, an amendment from Commercial to Multi-Family Residential results in a decrease in 11,151 daily trips based on maximum buildout of commercial compared to maximum build out of residential on the property. As the proposal for 60 units, at a density of 12.3 du/ac, is well under the maximum density as permitted by the City's Comprehensive Plan, the decrease in daily trips would be even greater. Although 30% of the site can be dedicated to commercial use, the applicant is not proposing any commercial use as part of this project.

Stormwater and Infrastructure

The project is meeting the intention of Element 4, Objective 4.A4D which states that "The City shall encourage Low Impact Development (LID) practices in all new development projects to reduce impacts, treat, infiltrate, and manage stormwater runoff flows caused by storms, urban runoff, and impervious surfaces, and require integration of site-specific LID best management practices." The applicant is proposing open joint pervious pavers in all guest parking spaces and within the entry drive, which allow for percolation of stormwater directly into the subsurface. Also proposed are three bio-swale areas which not only allow for site specific pollutant loading but also provide stormwater capacity beyond the required capacity for the site. A total of 730% excess water quality volume is proposed on site through the utilization of LID techniques as well as higher elevation weirs and bleeders in the retention pond.

Open Space Element

With the preservation of the 12 existing slash pines and creation of a passive park including the existing native vegetation with proposed new native vegetation, and the preservation of native vegetation within the buffers, the proposal meets the intent of Element 6, Objective 6.B1, Policy 6.B1.3 which promotes the preservation of native vegetation on the property.

Commercial to Residential Conversion

The proposed FLU amendment from commercial to multi-family residential complies with the intention of Objective 1.A5- *Residential Development* in that the proposed residential development shall provide housing opportunities for families who want to live in the City, including for individuals who work within the City limits. The residential use aligns with City of Stuart Policy 1.A5.5 by providing a community of housing for families. Not only does the proposal reestablish the original intention of the property, it also would transition the property from a use that could further increase the demand for housing within the city to that of a use which will provide housing opportunities in a demanding housing market. As a Commercial FLU predominantly permits commercial uses, any development within the Commercial FLU would potentially increase the number of commuters into the City which in turn increases traffic, as shown in the long range traffic analysis and comparing the traffic statement for the 2007 commercial approval to the submitted traffic statement for this project.

The amendment aligns with Objective 1.A5 which ensures land use compatibility, as the proposed residential development is situated adjacent to the Towne Park multi-family development, and as the project was initially planned as multi-family residential. Pedestrian sidewalks provide connectivity between the proposed development and these nearby commercial uses which encourages walking to other nearby amenities.

A FLU amendment to multi-family residential would allow the development to align with the intent of Policy 1.A5.1 to promote a more compact development pattern. By encouraging compact residential development, the proposal also aligns with Goal 2.A which discourages urban sprawl. As the site was initially planned for multi-family, this amendment restores the original intention of the property, a use that is compatible with the surrounding residential uses. The amendment as proposed would better align with the Goals of the Comprehensive Plan, proposing a less traffic intensive use while creating a family community within the city limits.

Urban Sprawl

Development on the subject parcel serves as an infill project, as the vacant site is surrounded by existing development. The site has been previously cleared for development, and was intended to be an extension of the Towne Park residential development that surrounds the northeast and northwest boundaries of the property. By facilitating infill development on this site, the applicant is meeting Objective 1.B1 of Element 1 of the City's Comprehensive Plan, which states that the City's goal is to *"Discourage urban sprawl by facilitating urban redevelopment and infill development of properties and planning for urban infill and redevelopment of lands located within Stuart in order to achieve a compact urban form."* The inclusion of an eight-foot public sidewalk on Central Parkway along this infill development also meets the intent of Policy 2.A1.8 of the Comprehensive Plan of decreasing vehicular traffic by providing means for pedestrian connection to nearby amenities. The extension of the sidewalk along Towne Park property further enhances pedestrian connectivity.

Soils and Topography

The soil characteristics of the site are common for this area. Per the Geotech report's findings, the soils on the site were found to be suitable for the proposed development. With respect to topography, the land is very typical of the area and matches the surrounding developments.

Floodplain

Within FEMA Flood Zone X, which is outside the area of minimal flood hazard, and not containing any native upland habitat, the property aligns with Objective 1.A3 of Element 1 of the City's Comprehensive Plan which aims to protect environmentally sensitive natural resources. The applicant is proposing minimal land clearing on this infill development, as the property has been previously developed. The proposed development is compatible with the existing state of the land, which has been previously developed.

Development Standards Compliance

The proposed development meets the standards of Chapter II, Section 2.07.00- *Designation of Planned Unit Development (PUD)* to provide an alternative residential development that is still consistent with the overall planning goals of the City's Comprehensive Plan.

The development meets the General requirements of the City's LDC including keeping within both the established density requirements and the maximum height limitations. The proposed development is well below the maximum permitted density and height for an RPUD, maintaining consistency with the surrounding properties.

As a PUD, the Code allows for flexibility from the City’s straight zoning requirements. In order to stay within the intentions of the LDC, the proposed development meets the open space and landscape requirements of the code, and incorporates requirements such as bicycle parking and an 8 foot sidewalk along SE Central Parkway. The City’s LDC does not have specific requirements for waivers from underlying zoning within RPUD’s however the table below illustrates some areas where the flexibility of the LDC’s PUD Section is incorporated within the site plan.

Areas of PUD Flexibility

There are several areas in the proposed development that the applicant has proposed variations from the regulations within the proposed underlying zoning of R-3 or elsewhere in the LDCs. The following is broken down into two tables, one for the overall parcel and the second for a further look at the individual lots for fee-simple townhomes.

For the overall lot the areas of flexibility include:

Area of Flexibility	Code Requirement	Provided	Reasoning and Mitigation
Sidewalk Width (interior)	8-feet	5-feet	The site is uniquely configured, and to make it viable with the two-story floor plan, some features had to be adjusted to fit the necessary pervious space and buffers. With the provision of a passive park which preserves existing slash pines, incorporation of low impact development techniques including pervious pavers and the elimination of a unit to better meet the intention of the City’s code and Comprehensive Plan, the applicant kindly requests a waiver from this code. Five feet is a standard width in urban residential areas in many studies including those from the National Association of City Transportation Officials (NACTO) and as an experienced residential developer, the five foot width works well to accommodate pedestrian

			foot traffic. Any increase in sidewalks would further decrease pervious area on site. An 8-foot sidewalk is proposed along Central Parkway, and a six-foot sidewalk is proposed from the Central parkway sidewalk into the development. The applicant kindly requests flexibility from this regulation.
Maximum Impervious Area	65%	69.7%	The development is meeting the RPUD regulations for 30% open space. Open space is defined within the City's code as "an area not occupied by any structures or impervious surfaces. A body of water is considered impervious." Not counting the lake, the project meets this 30% open space requirement. The open space requirement for RPUD directly correlates to required pervious area per the definition. The requested variance is associated with the 65% impervious area as required by the underlying zoning. To mitigate for this variance request, the applicant has utilized low impact development (LID) techniques including pervious pavers, bio-swales and alternative curbing. The bio-swales and other features on site collect excess 730% water quality volume, this capacity is beyond what is required for the site. The bio-swales

			have the added benefit above code requirements for pollutant loading and site specific infiltration beyond the typical stormwater retention area. The native vegetation within the bioswales allow for natural treatment of the stormwater runoff. The alternative curb inlet design along the south side of the lake allows for sheet flow to fall directly into the bioswale rather than into an inlet which leads directly into underground piping. The 730% excess water quality volume far exceeds the suggested additional 5% that is considered as a PUD amenity. The applicant respectfully requests a variance from the underlying zoning as many additional techniques have been utilized to treat and collect stormwater, exceeding what would be required if the site were utilizing standard zoning requirements.
Minimum Building Front Setback	25'	10'	The building facades are closer to the Central Parkway sidewalk in order to provide for a more urban interaction between the development and community. The intent of these units is to provide residents with an pedestrian focused experience, rather than set the units far back like in suburban areas. These residents can walk directly

			onto Central Parkway sidewalk and walk to nearby amenities.
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Regarding the individual fee simple townhome lots within the RPUD, the following flexibility from the R-3 code apply:

Area of Flexibility	Code Requirement	Provided	Reasoning
Minimum Lot Area (SF)	10,000 SF	1,111– 1,333SF	The lots are configured for individual fee simple townhomes, following the exact footprint of the unit including the individual patio. The footprint varies depending on unit type with the maximum lot area of 1,333. All other areas will be dedicated as common area.
Minimum Lot Width (Feet)	100'	22.8 – 28'	The lots are configured for individual fee simple townhomes, following the exact footprint of the unit including the individual patio. The width varies depending on unit type with the maximum width of 28 feet.
Minimum Side Setback	15' (0' for devising walls)	0'	The side setback of the townhomes that are not devising walls is also proposed at 0'. The lots are configured as individual lots, following the exact footprint of the building with all other areas as common areas for common enjoyment. The balconies follow the same footprint as the individual patio on the ground floor.
Minimum Front Setback	25'	0'	The lots are configured for individual fee simple townhomes, following the exact footprint of the unit including the individual
Minimum Rear Setback	20'	0'	

			patio with all other areas dedicated as common area. The balconies follow the same footprint as the individual patio on the ground floor.
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Concurrency/Level of Service

Aligning with the purpose and intent of Chapter IV, Section 4.02.02, and with Policy 4.A6.3, the existing public facilities and services have previously serviced this property. The proposed development will not exceed the current availability of capacity for potable water, sewer, solid waste, drainage, parks and recreation, transportation facilities and public educational facilities. The project shall meet the level of service standards established in Section 4.03.00 of Chapter IV. The project is within the TCEA Buffer area; the submitted traffic statement and analysis provides a thorough analysis of the transportation facility level of service.

The Martin County school district has already granted concurrency for the project, with a concurrency reservation of three years from date of issuance (December 3, 2024).

Summary

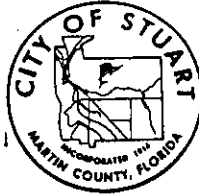
The proposed development meets the standards of the City's Land Development Regulations, with proposed enhanced fenestrated architectural design, dense landscape of varying heights throughout the property, preserved native slash pines, and an additional 730% water quality volume on site. The project has been designed to be compatible with surrounding properties and to be compatible with the City of Stuart in general.

On behalf of the property owners, Johnston Group Development and Design respectfully request favorable review and consideration of this application for a rezoning and site plan review for a townhome Residential PUD. Should you have any questions or require additional information, please do not hesitate to contact me at your convenience at (561) 691 4552.

Sincerely,



Elizabeth S. Levesque, AICP
Development Manager



City of Stuart

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 1174

AN ORDINANCE OF THE CITY OF STUART, FLORIDA, ADOPTING A COMPREHENSIVE GROWTH MANAGEMENT PLAN AS MANDATED BY THE LOCAL GOVERNMENT COMPREHENSIVE PLANNING AND LAND DEVELOPMENT REGULATION ACT, CHAPTER 163, PART II, FLORIDA STATUTES; REPEALING ALL ORDINANCES OR PARTS IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; PROVIDING REPEALER; PROVIDING FOR CODIFICATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, in accordance with the procedures required by Section 163.3184, Florida Statutes, the City Clerk caused to be published in the Stuart News, a newspaper of general paid circulation in the county and of general interest in the community, pursuant to Chapter 50, Florida Statutes, a notice of change of land use in the form and manner required by Section 163.3184(15)(c), Florida Statutes. Notice of the first hearing was published on June 13, 1989 and notice of the second hearing was published on December 5, 1989; and

WHEREAS, in accordance with the said notices, the City Commission held advertised public hearings on the proposed ordinance in the Commission Room, City Hall, 121 S.W. Flagler Avenue, Stuart, Florida, on June 20, 1989 at 7:00 p.m., and on December 11, 1989, at 7:00 p.m., at which time interested parties and citizens had the opportunity to be heard; and

WHEREAS, immediately following the first public hearing the City Commission caused the transmittal of 10 copies of the complete proposed plan amendment to the State Land Planning Agency for written comments; and

WHEREAS, the State Land Planning Agency and all other agencies required by law have completed review of the proposed plan amendment, and have provided their written comments to the City Commission; and

WHEREAS, the City Commission has reviewed the written comments submitted to it by the State Land Planning Agency, and any other person, agency, or government and has considered such comments together with public comments presented at the public hearings.

NOW THEREFORE, BE IT ENACTED by the People of the City of Stuart, Florida as follows:

SECTION ONE:

The Comprehensive Plan for the City of Stuart, (City of Stuart Comprehensive Growth Management Plan) a copy of which is filed in the office of the City Clerk on the date this ordinance is passed, is hereby approved and adopted as the Comprehensive Plan to guide the future development and growth of the City of Stuart, Florida, as mandated by the Local Government Comprehensive Plan and Land Development Regulation Act. Chapter 163, Part II, Florida Statutes.

SECTION TWO:

In accordance with Section 163.3184(7), Florida Statutes, the City Clerk shall transmit five copies of the adopted Comprehensive Plan to the State of Florida Department of Community Affairs (State Land Planning Agency). The City Clerk shall also transmit a copy of the Comprehensive Plan to any other unit of local government or governmental agency in the State that has filed a written request with the City for a copy of such plan.

SECTION THREE: REPEALER

All ordinances or parts thereof in conflict with this ordinance be and hereby are repealed to the extent of such conflict.

SECTION FOUR: SEVERABILITY

If any section, sentence, clause, phrase or word of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void, such holding of invalidity shall not affect the remaining portions of this ordinance, and it shall be construed to have been the intent of the City Commission to adopt this ordinance without such unconstitutional, invalid,

or inoperative part therein, and the remainder of this ordinance after the exclusion of such part or parts had not been included herein. If this ordinance or any provision thereof shall be held to be inapplicable to any person, groups of persons, property, kind of property, circumstances, or set of circumstances, such holding shall not affect its applicability to any other person, property or circumstance.

SECTION FIVE: CODIFICATION

Provisions of this ordinance shall be incorporated in the City Code and the word "ordinance" may be changed to "section" "article" or other appropriate word, and the sections of this ordinance may be renumbered or relettered to accomplish such intention.

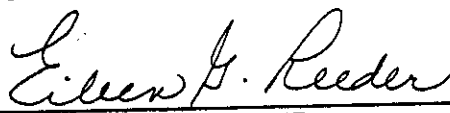
PART SIX: EFFECTIVE DATE

This ordinance shall be effective on the 10th day of January, 1990.

ADOPTED on the first reading at a duly called meeting of the City commission of the City of Stuart, Florida, held on the 5th day of December, 1989.

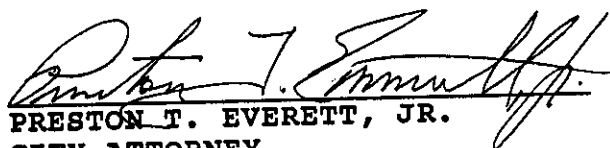
PASSED on second reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 11th day of December 1989.

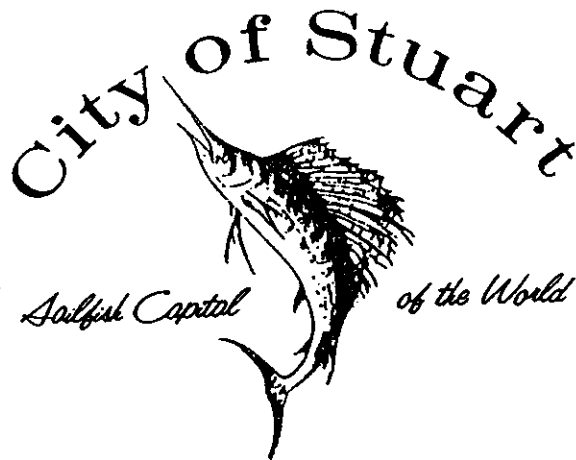
ATTEST:


EILEEN G. REEDER
CITY CLERK


JOAN JEFFERSON
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:


PRESTON T. EVERETT, JR.
CITY ATTORNEY



BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 1293-93

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA PROVIDING FOR AN AMENDMENT TO ORDINANCE NO. 1174 OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, AS AMENDED, BEING THE COMPREHENSIVE PLAN OF THE CITY OF STUART, FLORIDA; PROVIDING A CHANGE IN LAND USE DESIGNATION FROM "MULTI-FAMILY RESIDENTIAL" TO "INSTITUTIONAL" IN THE FUTURE LAND USE ELEMENT AND ON THE FUTURE LAND USE MAP FOR A PORTION OF SECTION 9, TOWNSHIP 38 SOUTH, RANGE 41 EAST ABUTTING THE NORTH SIDE OF "CENTRAL PARKWAY" IN THE CITY; PROVIDING A CONFLICTS CLAUSE AND A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

* * * * *

WHEREAS, the City Commission of the City of Stuart, Florida has determined that the following ordinance is necessary for orderly growth and development, and to preserve and promote the public health, safety and welfare of the residents of the City of Stuart, Florida; and

WHEREAS, the City Commission of the City of Stuart, Florida has determined that all conditions precedent to the enactment of the following ordinance amending the official Comprehensive Plan of the City of Stuart, Florida, being Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, have been performed as required by law.

NOW THEREFORE, BE IT ENACTED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA that:

SECTION 1: The real property which is described in "Exhibit A" attached hereto and made a part hereof by reference is owned by ABUNDANT LIFE MINISTRIES, ASSEMBLY OF GOD, STUART, FLORIDA, INC. The owner has made application to the City of Stuart for an amendment to the Comprehensive Plan of the City of Stuart, Florida, being Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, to change the land use designation from "Multi-Family Residential" to "Institutional" in the Future Land Use Element and on the Future Land Use Map.

SECTION 2: Ordinance No. 1174 of the City Commission of the City of Stuart, Florida, as amended, being the Comprehensive Plan of the City of Stuart, Florida, is hereby amended to provide a land use designation change from "Multi-Family Residential" to "Institutional" for the real property which is described in "Exhibit A" attached hereto.

SECTION 3: All ordinances or parts of ordinances in conflict herewith being the same are hereby repealed to the extent of such conflict.

SECTION 4: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect the other provisions or applications of this ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared severable.

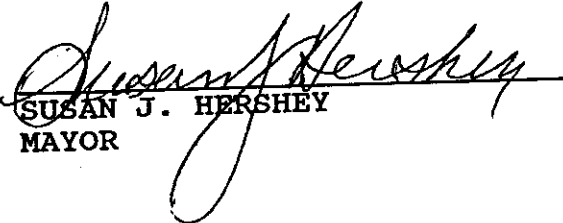
SECTION 5: This ordinance shall take effect immediately upon its adoption at second reading.

ADOPTED on the first reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 24th day of May, 1993.

PASSED on second reading at a duly called meeting of the City Commission of the City of Stuart, Florida, held on the 14th day of June, 1993.

ATTEST:


EILEEN G. REEDER
CITY CLERK


SUSAN J. HERSHEY
MAYOR

APPROVED AS TO FORM AND
CORRECTNESS:


CARL V. M. COFFIN
CITY ATTORNEY

First American Title Insurance Company

EXHIBIT "A"

PARCEL I:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North $00^{\circ}30'18''$ East along the East line of said West quarter, a distance of 1558.80 feet; thence run South $37^{\circ}27'42''$ East, a distance of 4.39 feet to the POINT OF BEGINNING; thence run North $65^{\circ}00'00''$ East, a distance of 376.35 feet; thence run South $41^{\circ}27'42''$ East, a distance of 147.76 feet; thence run South $52^{\circ}32'18''$ West, a distance of 377.79 feet; thence run North $37^{\circ}27'42''$ West, a distance of 228.61 feet to the POINT OF BEGINNING.

PARCEL II:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North $00^{\circ}30'18''$ East along the East line of said West quarter, a distance of 1558.80 feet; thence run South $37^{\circ}27'42''$ East, a distance of 233.00 feet to the POINT OF BEGINNING; thence run North $52^{\circ}32'18''$ East, a distance of 377.79 feet; thence run South $41^{\circ}27'42''$ East, a distance of 180.00 feet; thence run South $52^{\circ}32'18''$ West, a distance of 380.47 feet to a Point of Curvature of a circular arc concave to the East having a center angle of $14^{\circ}16'28''$ and a radius of 320.00 feet; subtended by a long chord bearing North $44^{\circ}35'57''$ West; thence run along said arc a distance of 79.72 feet to a Point of Tangency; thence run North $37^{\circ}27'42''$ West, a distance of 100.66 feet to a POINT OF BEGINNING.

PARCEL III:

A parcel of land lying in the Southeast quarter of Section 9, Township 38 South, Range 41 East, Martin County, Florida, being more particularly described as follows:

Commencing at the Southeast corner of the West quarter of the West half of said Southeast quarter, run North $00^{\circ}30'18''$ East along the East line of said West quarter, a distance of 1558.80 feet; thence run South $37^{\circ}27'42''$ East, a distance of 333.66 feet to a Point of Curvature of a circular arc concave to the Northeast having a central angle of $14^{\circ}16'28''$ and a radius of 320.00 feet; thence run along said arc a distance of 79.72 feet to the POINT OF BEGINNING; thence run North $52^{\circ}32'18''$ East, a distance of 380.47 feet; thence run South $41^{\circ}27'42''$ East, a distance of 233.75 feet; thence run South $45^{\circ}10'02''$ West, a distance of 44.75 feet; thence run South $48^{\circ}32'18''$ West, a distance of 20.00 feet to the Point of Curvature of a circular arc concave to the Northeast having a central angle of $79^{\circ}43'31''$ and a radius of 320.00 feet; thence run along said arc a distance of 445.27 feet to the POINT OF BEGINNING.



INSTR # 2044796
OR BK 02285 PG 0943
Pgs 0943 - 9557 (13pgs)
RECORDED 10/17/2007 03:17:16 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
RECORDED BY C Burkey

Return to:

City Attorney's Office
City of Stuart
121 SW Flagler Street
Stuart, FL 34994

BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA

ORDINANCE NUMBER 2106-07

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA TO APPROVE A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD), PROVIDING A LAND USE DESIGNATION OF "COMMERCIAL" ON THE FUTURE LAND USE MAP OF THE CITY'S COMPREHENSIVE PLAN FOR A PROFESSIONAL AND MEDICAL OFFICE CENTER BEING GENERALLY A 4.88 ACRE PARCEL OF LAND ON THE NORTH SIDE OF SE CENTRAL PARKWAY; PROVIDING FOR APPROVAL OF A MASTER SITE PLAN; PROVIDING CONDITIONS FOR COMPLIANCE WITH SITE DESIGN QUALITATIVE DEVELOPMENT STANDARDS TO ESTABLISH THE "TOWN PARK PROFESSIONAL CENTER CPUD," A COMMERCIAL PLANNED UNIT DEVELOPMENT (CPUD); DECLARING THE CPUD DEVELOPMENT TO BE CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY; APPROVING CERTAIN DEVELOPMENT DOCUMENTS; APPROVING CERTAIN CONDITIONS OF DEVELOPMENT; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE; PROVIDING FOR ACCEPTANCE BY THE APPLICANT; AND PROVIDING FOR DIRECTIONS TO THE CITY CLERK.

* * * * *

WHEREAS, an application for the rezoning to a Commercial Planned Unit Development (CPUD) was properly filed on behalf of the owners, Town Park Professional Center LLC, a Florida limited liability company, (“Owner,” “Applicant,” or “Developer,” as variously used herein) by its representative, William J. Mathers P.E.; and

WHEREAS, the City is Authorized by law to provide a land use designation on the Future Land Use Map being a part of the Future Land Use Element of the City of Stuart Comprehensive Plan; and

WHEREAS, the Owner of the property, legally described as set forth in “Exhibit A”, has requested the approval of the City Commission to construct a professional and medical office center on the property; and

WHEREAS, at the hearing the Owner showed by substantial competent evidence that the application is consistent with the Comprehensive Plan, and Land Development Code of the City, and with the procedural requirements of law; and

WHEREAS, the City Commission has determined the application is consistent with the overall planning and development goals and objectives of the City; and

WHEREAS, the CPUD is consistent with the Stuart Comprehensive Plan and the development will be in harmony with surrounding properties and their anticipated development.

WHEREAS, the real property described in “Exhibit A” attached hereto and made part of by reference is hereby designated as “Commercial” on the Future Land Use Plan of the City of Stuart, Florida. This amendment to the Future Land Use Map is consistent with all other provisions of the City Comprehensive Plan and with the Florida Growth management Act.

WHEREAS, the Future Land Use Map of the Future Land Use Element of the Comprehensive Plan of the City of Stuart, shall be amended to reflect this amendment. A map depicting the subject real property is attached hereto at "Exhibit B", and

WHEREAS, the Owner has committed to the City that its development will comply with all Development Documents, plans, standards and conditions approved by the City; and that it will bind its successors in title to any such commitments made upon approval of the CPUD; and

WHEREAS, the City Commission held a properly noticed hearing at a regularly scheduled City Commission meeting to consider the application of the Owner for the Property to approve the "Town Park Professional Center" as a Commercial Planned Unit Development (the "CPUD").

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA THAT:

SECTION 1: The foregoing recitals are true and adopted as findings of fact and conclusions of laws.

SECTION 2: A legal description of the Property is set forth in "**Exhibit A**" attached hereto and made a part hereof by reference. A map depicting the Property is attached hereto as "**Exhibit B**" and made a part hereof by reference.

SECTION 3: The Owner's written acceptance of this Ordinance shall constitute an agreement with the City for the purposes expressed herein, but the same shall not be construed as a "Development Agreement," as provided in Section 163.3221, Florida Statutes.

SECTION 4: The following documents, on file as public records of the City at the office of the City Development Department in City Hall, hereinafter the "Development Documents", shall be deemed a part of the development regulations applicable to the Property:

- A. "Master Development Plan" prepared by Mathers Engineering Revision dated 05/31/2007 (Job# 2065-01).
- B. "Landscape Plan" prepared by Landscape Architecture, Inc, Revision dated 11/18/2006.
- C. "Boundary Topographic and Tree Survey" prepared by Stephen J. Brown, 11/19/04 .
- D. "Building Elevations" prepared by Joseph A. Hamzy, Architect, dated 7/25/2006.

SECTION 5. The development of the Property shall be subject to the Conditions of Development set forth in "**Exhibit C**" attached hereto and made a part hereof by reference.

SECTION 6. Except as otherwise provided herein, no building permits, certificates of occupancy or other development orders or approvals shall be issued by the City except in compliance with the aforesaid Development Documents. The failure of the Developer to complete development, or to comply with the Development Documents, or with any term or condition of development set forth in this ordinance, shall be deemed a zoning violation and no further building permits, certificates of occupancy or other development approvals or orders shall be issued by the City until the violation has been resolved, and the matter may become the subject of a code enforcement action brought by the City. This section shall not impair the due process or other legal rights of the Developer to seek administrative or judicial redress.

SECTION 7: In addition to any other action for failure to complete development or to comply with the Development Documents, the City Development Director may obtain a hearing before the City Commission, and shall thereupon give at least five (5) days written notice of the time, date and location of the hearing, along with specific notice of the alleged breach. At the

hearing before the City Commission the developer may appear, and may contest the allegation of breach or explain the reason or reasons for the breach.

In the event a material breach is found to have occurred, the City Commission may initiate the process to amend or repeal this ordinance. In the event a material breach is found to have occurred, the City Commission may also direct the City Development Director to initiate the process to rezone the PUD property or any portion of the PUD property.

Any breach of any provision or condition of this PUD ordinance by the developer shall be considered a zoning violation subject to any remedies provided therefore in this PUD ordinance, as well as any other remedies provided by law.

In the event a material breach of this ordinance, and acceptance and agreement, by the developer is found to have occurred, the City Commission may impose an administrative penalty. Upon a finding by the City Commission that any material condition of PUD approval has been breached, the City Commission may impose a penalty of up to \$1,000.00 for each violation, and each repeat violation that occurs, along with all reasonable costs, including attorneys fees incurred by the City. In the event the violation found is a continuing violation from day to day, each day the violation is found to continue may be deemed a separate violation.

SECTION 8: All ordinances or parts of ordinances in conflict with this ordinance or any part thereof are hereby repealed to the extent of such conflict. If any provision of this ordinance conflicts with any contractual provision between the City and the developer of the site, this ordinance shall prevail.

SECTION 9: If any provision of this ordinance or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications which can be given effect without the invalid provision or application, and to this end the

provisions of this ordinance are declared severable.

SECTION 10: This ordinance and agreement shall be effective upon the last of the following to occur: adoption by the City Commission, and proper execution by the Owner.

SECTION 11: Upon complete execution of this Ordinance, including the Acceptance and Agreement by the Owner, the City Clerk is directed to record a Certified Copy of the same in the Public Records of Martin County, Florida.

PASSED on first reading this 23 day of April, 2007.

Commissioner Waxler offered the foregoing ordinance and moved its adoption.

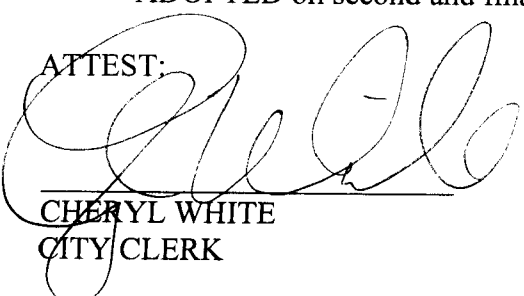
The motion was seconded by Commissioner Mortell and upon being put to a roll call vote, the vote was as follows:

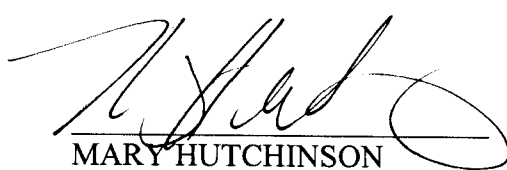
MARY HUTCHINSON, MAYOR
JEFFREY KRAUSKOPF, VICE-MAYOR
JIM CHRISTIE, COMMISSIONER
CAROL WAXLER, COMMISSIONER
MIKE MORTELL, COMMISSIONER

YES	NO	ABSENT
✓		
✓		
✓		
✓		
✓		

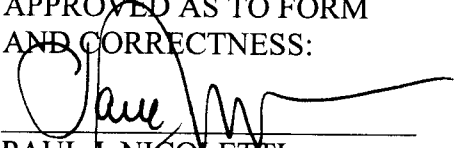
ADOPTED on second and final reading this 14 day of May, 2007.

ATTEST:


CHERYL WHITE
CITY CLERK


MARY HUTCHINSON
MAYOR

APPROVED AS TO FORM
AND CORRECTNESS:


PAUL J. NICOLETTI
CITY ATTORNEY



Oct. 21. 2005 9:52AM

EXHIBIT A

No. 5993 P. 2

INSTR # 1831208
OR BK 02003 PG 1828
RECORDED 04/18/2005 12:49:06 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 7,000.00
RECORDED BY T Copus (asst mgr)

Prepared by and return to:
Robert S. Kramer, Esq.
Kramer, Sopko & Levenstein, P.A.
853 SE Monterey Commons Boulevard
Stuart, FL 34996

File Number: 10134.01
Will Call No.: 80

Parcel Identification No. 09-38-41-011-000-00001-10000

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 6th day of April, 2005 between Abundant Life Ministries, Assembly of God, Stuart, Florida, Inc., a Florida nonprofit corporation whose post office address is 751 SE Central Parkway, Stuart, FL 34994 of the County of Martin, State of Florida, grantor*, and George T. Kelly, IV, a single man whose post office address is 521 SE Central Parkway, Stuart, Florida 34994 of the County of Martin, State of Florida, grantee*,

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit:

All of TOWNE PARK, according to the Plat thereof as recorded in Plat Book 11, Page 85, Public Records of Martin County, Florida.

Subject to taxes for 2005 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Witness Name: R.S. Kramer

Witness Name: Dawn E. Darter

Abundant Life Ministries, Assembly of God, Stuart, Florida,
Inc., a Florida nonprofit corporation

By: Jonathan McClain
Jonathan McClain, President/Pastor

(Corporate Seal)

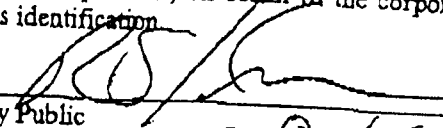
Oct. 27. 2005 9:52AM

OR BK NO. 5998 P. 3
62003 PG 1829

State of Florida
County of Martin

The foregoing instrument was acknowledged before me this 6th day of April, 2005 by Jonathan McClain of Abundant Life Ministries, Assembly of God, Stuart, Florida, Inc., a Florida nonprofit corporation, on behalf of the corporation. He/she ☒ is personally known to me or [] has produced a driver's license as identification.

[Notary Seal]


Notary Public

Printed Name: R. S. Kramer

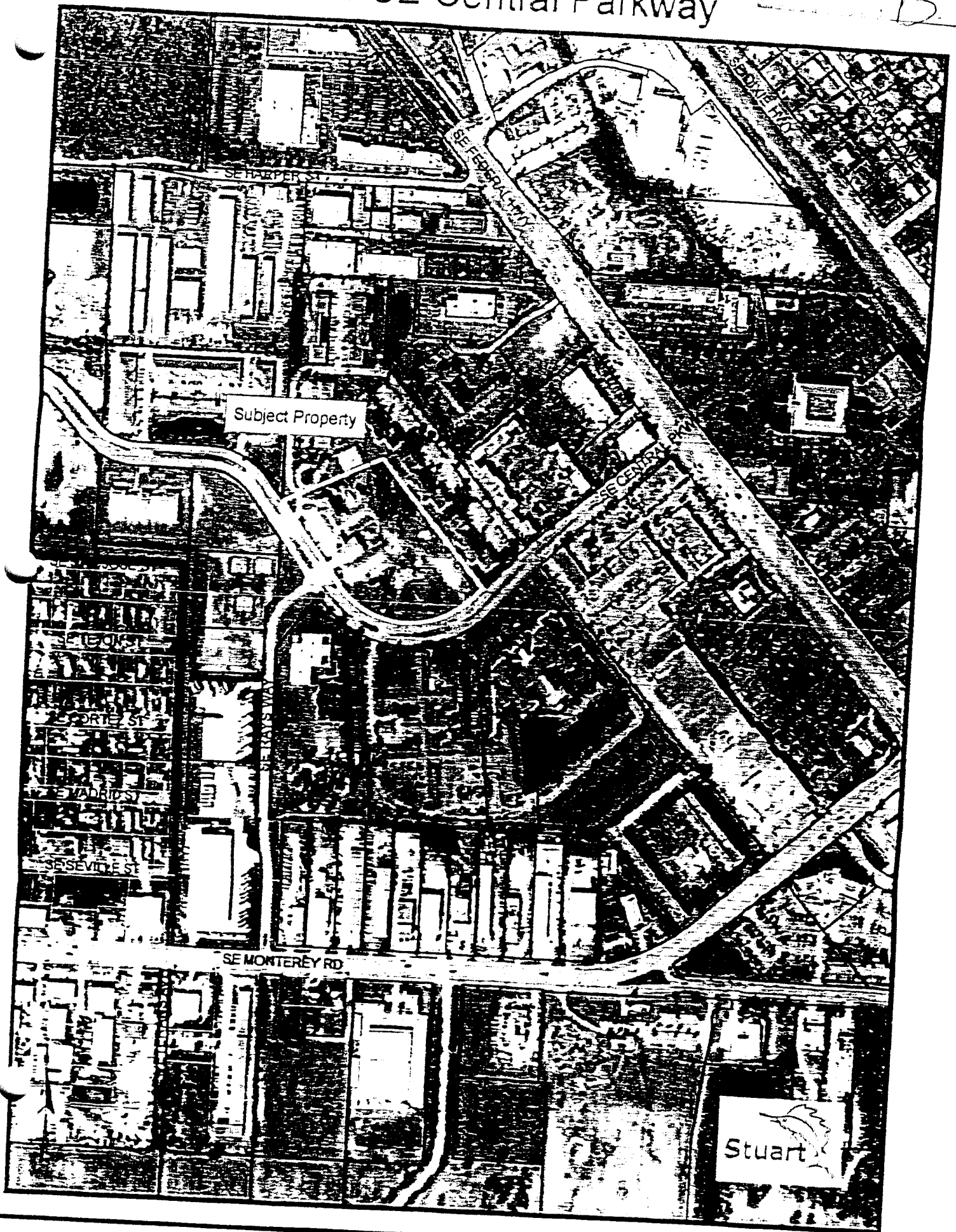
My Commission Expires: _____



Robert S. Kramer
My Commission DD158970
Expires November 13, 2006

751 SE Central Parkway

11-13



ORDINANCE #2106-07 'TOWNE PARK PROFESSIONAL CENTER' – EXHIBIT "C"

Approved Plans and Documents

1. The project shall comply with the Final Site Plan (Job# 2065-01) by Mathers Engineering Corporation, Dated 5/31/07.
2. The project shall comply with the Landscape Plan by Landscape Architecture, Inc., Last Revised 11/18/06.
3. The project shall comply with the Building Elevations by Joseph A Hamzy, Architect, Dated 7/25/06.
4. Any modifications to the CPUD Final Site Plan, due to final engineering, that exceeds 5% of the approved building footprint, building setbacks; density; building location; parking size, location and number; drainage areas; and location of landscaping shall require further approval by the City Commission via a public hearing.

Landscaping

5. All landscape areas shall be provided with an irrigation system of sufficient capacity to maintain the landscaping in a healthy growing condition.
6. The City's landscape inspector shall have the opportunity to inspect all trees and/or landscape material with the landscape architect prior to installation. The developer shall bear the pass-thru fee for landscape consulting fees not to exceed \$1,500.00.
7. A Landscape maintenance plan, executed in accordance with the Land Development Regulations, shall be submitted prior to the issuance of a certificate of occupancy.
8. "Hat racking" of trees is prohibited on the property.

Prior to Issuance of Development Permit

9. The applicant agrees to contribute its fair share in the amount of \$20,000 or a sum determined through fair share apportionment whichever is the lower to a fund to provide a traffic signal at the intersection of SE Central Parkway and U.S. Highway 1 at the time of final site construction plan approval and prior to the release of any building permit.
10. Applicant shall provide a digital boundary survey and site plan prior to the issuance of a development permit.
11. A boundary plat shall be approved by the City Commission and shall be recorded in the public records at Martin County prior to the issuance of any development permits.
12. Final site plan construction drawings shall be reviewed and approved by all applicable City departments.

13. All regulatory agency permits, including but not limited to the South Florida Water Management District and Army Corp of Engineers shall be obtained by the applicant and copies provided to the City prior to the issuance of a development permit.
14. Development shall comply with the City's Concurrency Management System prior to the issuance of development permits. A concurrency reservation certificate shall be binding upon the applicant meeting the following three standards:
 - Site Plan construction approval;
 - The issuance of building permits to commence construction; and
 - Pays all applicable impact and permit fees.

Development and Construction

15. In order to provide a buffer for the abutting residential property (Towne-Park Condominium), the applicant must install the 6' wood fence and/or masonry wall, as depicted within the aforementioned landscape plan prior to the construction of the first building.
16. Construction activity shall be limited from 7:00 am to 6:00 pm Monday – Saturday.
17. All mechanical equipment associated with the development shall be roof top or located behind the buildings. Equipment shall be equipped with decorative screening or landscaped with hedge material.
18. Backflow prevention devices and above ground utilities shall be delineated on the landscape plans during final site plan review and shall be out of view or screened from the public right-of-way.
19. The sidewalks along SE Central Parkway shall be constructed at a minimum width of six feet.
20. Erosion and dust control measures to be implemented during construction shall be provided on the civil engineering plans and submitted during final site plan review. Water trucks shall be provided by the applicant as necessary during construction in order to reduce dust generated on-site.

Development Timetable

21. Time table for development shall be as follows:

Site Permit Submission

Phase 1 – March 1, 2008

Phase 2 – November 1, 2009

Building Permit Submission

Phase 1 – October 1, 2008

Phase 2 – June 1, 2010

Certificate of Occupancy

Phase 1 – October 1, 2010
Phase 2 – June 1, 2012

22. In the event construction of the site and buildings are abandoned (a period of six months or longer) the City may rezone the property to another appropriate district or use.

Signage

23. The single location of signage is located at the eastern entrance consisting of one monument sign 4 feet in height 6 feet in width as depicted in the Sign Elevation Detail by Mather Engineering Corporation.

Prohibited

24. No temporary or modular buildings are permitted on the property.
25. Billboards are prohibited on the property.
26. Banners and any other sign or advertising device not in accordance with the City's Land Development Regulations are prohibited.



Staff Review

A. Application

Sailfish Cay
Small Scale Future Land Use Amendment / Rezoning to RPUD
Application Number: Z21110003

Applicant	751 SE Central, LLC
Property Owner	Cypress Holding, LLC
Agent for Applicant	Johnston Group Development & Design
Project Manager	Erin Wohlitka, Senior Planner
Date of Report	March 21, 2022

B. Project Description

The intent of this application is to request a rezoning from a Commercial Planned Unit Development (CPUD) to a Residential Planned Unit Development (RPUD) and a Small-Scale Future Land Use Amendment from Commercial (C) to Multi-Family Residential (MF-RES) to allow the construction of 61 multifamily townhouse units on 4.88 acres of land located at 751 SE Central Boulevard.

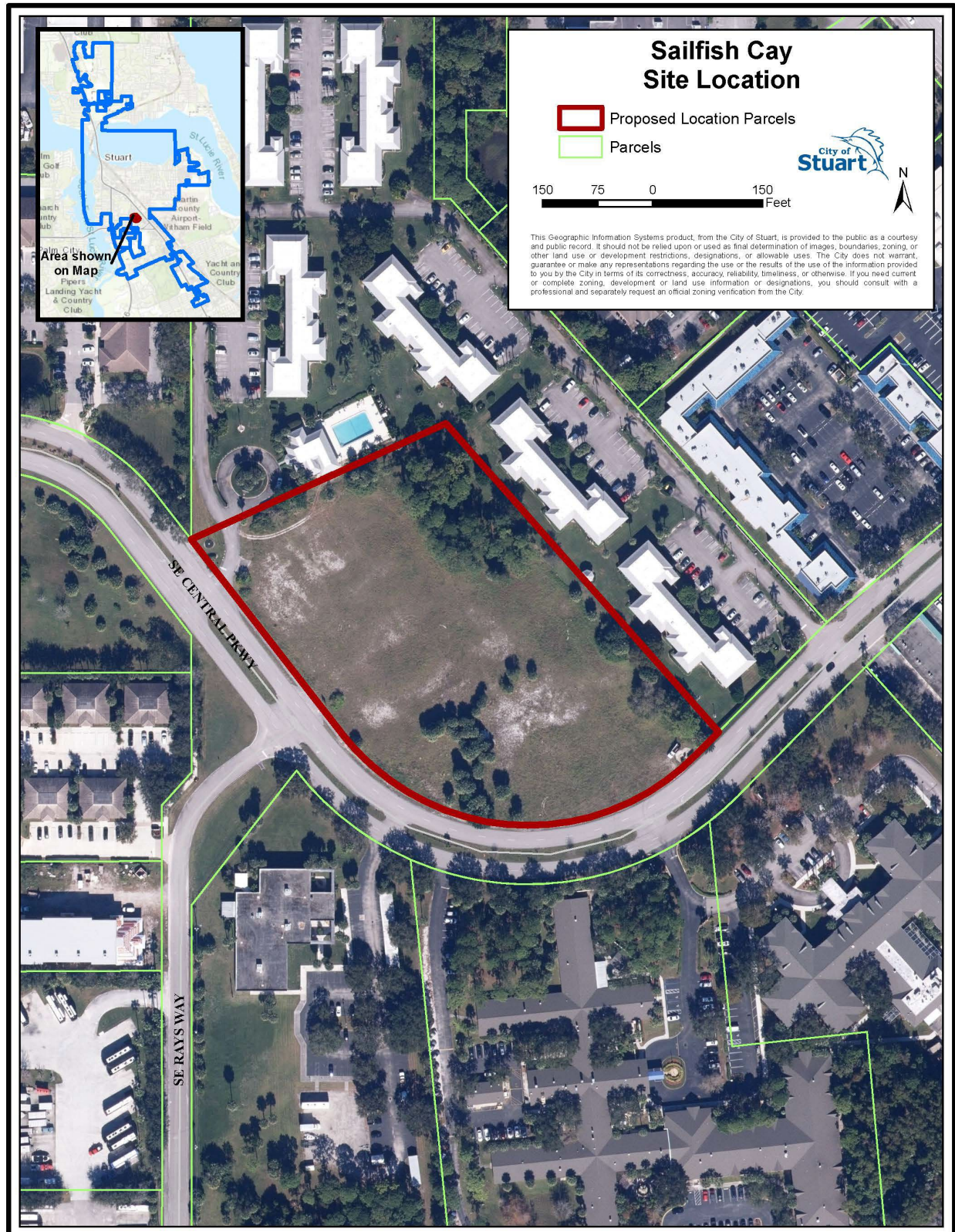
Address	751 SE Central Parkway
Parcel Number(s)	09-38-41-011-000-00001-1
Existing Zoning	Commercial Planned Unit Development (CPUD)
Future Land Use	Commercial (C)
Site Area (acres)	4.88 Acres
Present Use	Vacant
Proposed Land Use Designation	Multi-Family Residential (MF-RES)
Proposed Zoning District	Residential PUD (RPUD)
Proposed Use	Multi-Family Townhome Community

C. Location and Site Information

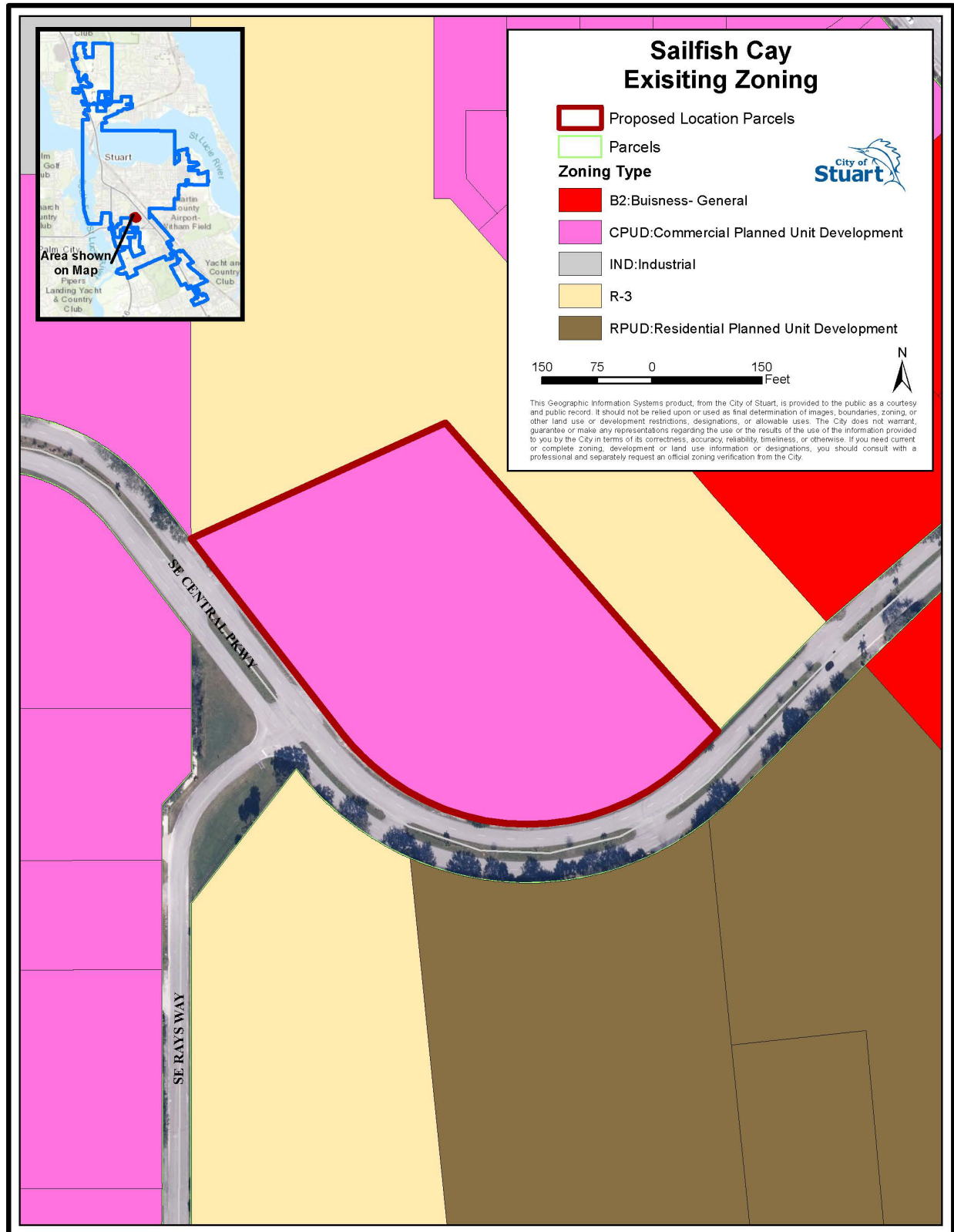
City Approvals	Building Department – Passed with Comments. Fire Department – Conceptually approved Public Works – Passed with Comments Traffic – Passed Environmental – Passed with Comments Zoning – Ongoing
Staff Recommendation (if final report)	N/A

Aerial Map

MAP

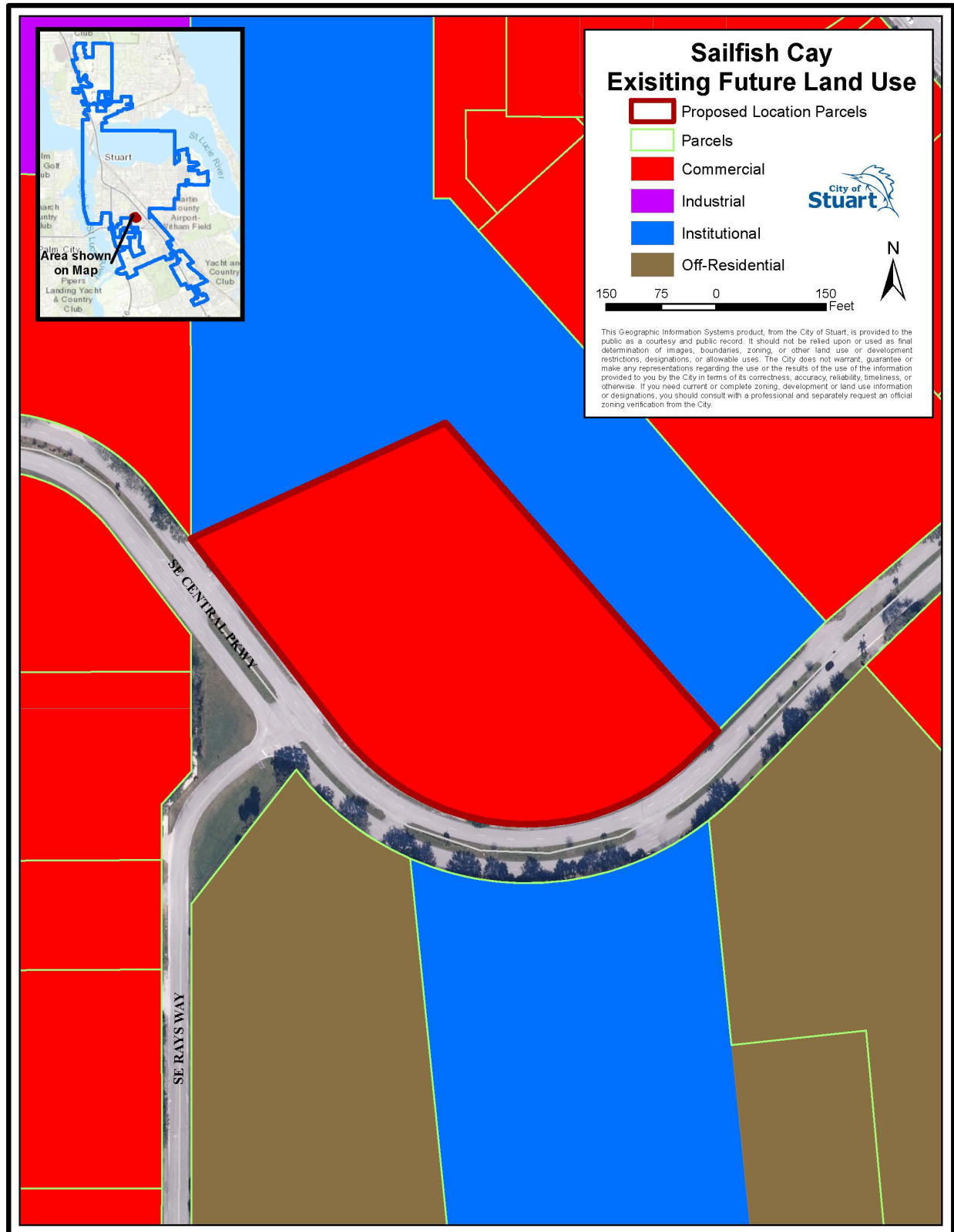


Existing Zoning MAP



Existing Future Land Use

MAP



D. Determination of compliance with Comprehensive Plan

Staff is awaiting a project narrative from the Applicant that proves compliance with the Comprehensive Plan has been achieved with this proposal.

E. Review Comments

Zoning and Site Design – Ongoing

1. Please include within the project narrative:
 - a) **SATISFIED.** The proposed Future Land Use change from Commercial to Multi Family Residential and compliance with specific applicable Comprehensive Plan policies, including job creation, urban sprawl, maximum build out, water/sewer availability, soils, FEMA Flood Plain, wetlands, and topography, condition, and sloping. Additionally, please address the loss of Commercial land to create additional Residential land.
 - b) **SATISFIED.** Address concurrency and levels of service outlined within Section 4.02.00 of the City's Land Development Code
 - c) **SATISFIED.** Address the current access to the Towne Park Condominiums on the subject property, whether it will continue to be maintained, who will maintain it, and whether it will be buffered and screened from the proposed project.
 - d) **SATISFIED.** Address how the Applicant has provided the required PUD Amenities from the PUD Amenity Guidelines.
 - e) **SATISFIED.** Please clarify what the existing lawn art is as noted on the landscape plan.
 - f) **ONGOING.** Please include variances from the R-3 code in the narrative (i.e., providing 5-foot-wide sidewalks instead of required 6-foot-wide sidewalks, front and rear setbacks, etc.)
 - i. **The Applicant has requested variances from code in regard to sidewalk width, maximum impervious surface coverage, and minimum front setback. See below:**
 - ii. Maximum Amount of Impervious Surface Coverage, Open Space, and Native Vegetation Areas: Section 2.07.00(D)(4)(b) states, "not less than 30 percent of the RPUD shall be open space as defined herein. Required open space may include native vegetation areas and landscape buffers between the site and adjacent property; however, other required landscaping shall not count towards the open space requirement." The Applicant appears to be including lake area in open space. Please revise the landscape data to be consistent with and in conformance with the city code in regard to the correct calculation of open space. Section 2.07.00(D)(4)(d) states, "excluding wetlands defined by the SFWMD, not less than 25 percent of the total development site shall remain as undeveloped native vegetation

area. The required native vegetation area may include open space areas and the landscape buffer between the site and adjacent property; however, other required landscaping such as parking area interior landscaping shall not count towards the native vegetation requirement. The location of the native vegetation area shall be determined using a study of the site with consideration to the value of existing vegetation.” The area of mature slash pines is the appropriate location for a native vegetation area per the requirements of City code. The applicant has an opportunity to provide a passive park underneath the mature slash pines that both Sailfish Cay and Towne Park residents may enjoy. This may be achieved creatively where the applicant might only lose a few units and create a duplex and a three-unit building for buildings 5 and 6, respectively. Staff’s concerns with the amount of impervious land are echoed in comment #s 8 and 13 of the comment letter issued to the Applicant on 12/20/2021. Additionally, it is staff’s position that the positioning of the back row of residential buildings, specifically where the slash pines exist, pinch the site and does not allow the site to meet the City’s code in regard to pervious/impervious area, a 20-foot lake maintenance easement around the entirety of the proposed lake, required open space and native vegetation areas. Please evaluate all possible scenarios to keep this area in its natural state. **City staff appreciates the applicant’s efforts to preserve the mature slash pine trees. Please provide on the site data the 30% open space requirement and provided open space percentage. The passive park and site buffers can be included within this area calculation. Please also provide the amount of native vegetation area (undeveloped landscape area – buffers, passive park, etc.)**

- iii. Minimum Sidewalk Width: The City requires a minimum of 8-foot-wide sidewalks per Section 6.01.04 of the City’s code. The Applicant has provided the minimum sidewalk width along Central Parkway and substandard sidewalks within the community. Staff does not support this request to vary from the code requirements as there is not sufficient justification provided for this waiver. **Staff appreciates the Applicant’s efforts to provide a passive park with walkways. Sidewalk design needs minor revisions to ensure connectivity to the park, off-site, and the pool/clubhouse area (i.e., connectivity from Building 8 and other street facing units to internal amenities, gate from Building 3 to pool area).**

- g) **SATISFIED.** Approximately half of the project site is located within a wellfield protection area. Please address in the narrative that the Applicant is meeting all requirements for development in this area.
- 2. **SATISFIED.** On Page 1 of the rezoning application, CPUD is checked where the Applicant is proposing to rezone to an RPUD. Please correct.

3. **SATISFIED.** Please advise if the on-street parking is to be considered a public amenity or to be utilized as guest parking only.
4. **SATISFIED.** Please advise if the ingress/egress easement is proposed to remain or if it will be relocated to avoid conflicts with the proposed hedge.
 - a) Please clarify the rectangle near the ingress egress easement that is not labeled on the site survey, site plan, or landscape plan.
5. **WITHDRAWN as the Applicant has stated the need for this parking area.** Please consider adding additional multi-level landscape screening between the entrance to Towne Park Condominiums and the guest parking/residential unit on the northwestern corner of the property.
 - a) Please remove the guest parking space adjacent to building 8 to allow for more landscape area.
6. **SATISFIED.** Please advise if the applicant intends to provide a sign easement for the Towne Park sign so that it can remain.
7. **SATISFIED.** Please dimension the guest parking spaces internal to the community on the site plan.
8. **See revised comment 1F.** Please consider the use of pervious pavers or pavement for the sidewalks and drive aisles to increase the percentage of pervious area on the subject property.
9. **PARTIALLY SATISFIED. Since the Applicant has the 20' LME in all areas where the pond has slopes, the retaining wall is sufficient in the proposed location. However, please provide an easement at the top of the wall for maintenance and label the width on the plan.** Please clarify why the 20' LME is not provided around the entire retention lake.
10. **SATISFIED.** Please clarify the material for the cross walks.
11. **PARTIALLY SATISFIED. The site triangle still appears limited looking southeast. The 10-foot setback from the ROW is maintained. Another option might be to bring the sidewalk and crosswalk closer to the edge of the travel lane so the stop bar can be moved forward.** Please clarify how the vehicles at the stop bar attempting to exit the community will not have their site blocked by the entry sign. It appears the sight triangle begins past the stop bar and might need to be relocated to begin at the stop bar.
12. Included on Landscape Plans. Please include proposed median landscape design as proposed within the cross-sections on the landscape plans.
13. **SATISFIED.** Please remove Building 6 (5 units) to preserve the large slash pine trees and create a passive park in this location as a PUD Amenity for the residents of Sailfish Cay.
14. **SATISFIED.** Please clarify on the monument sign rendering/plan how the entry sign will be lit.
15. **PARTIALLY SATISFIED. Please revise the ROW median plantings to at least show that the proposed trees are flowering trees and palm trees. Live oak trees do not satisfy the intent of this drawing and can be misleading as a presentation tool.** Prior to public hearing, provide a three-dimensional rendering of the main entrance showing the focal point, landscaping, and architecture.

16. Please include in the resubmittal a site details sheet including, but not limited to, the design, color, material of the following (if applicable): cabana, fencing, benches, wall sconces, and light poles.
17. **SATISFIED.** Per Section 6.04.06(5)(d), no parking spaces shall be located within the buffer. Please justify this variance from code with additional plantings in the southeast corner of the site.
18. **PARTIALLY SATISFIED. Please provide the calculation on the site plan site data table.** Please note, all RPUDs are required to have 25% native vegetation area, regardless if the site has previously been utilized for other purposes. Please depict on the landscape plans the minimum of 25% native vegetation area as defined within Sec. 2.07.00(4)(d) of the City's LDC.
19. **PARTIALLY SATISFIED. Please provide a detail of the lift station that includes all requested information, design specs of the fence and gate (and call out the location of the rolling gate on the engineering plan), and the hedge height, spacing, etc. at time of planting for staff review.** The lift station requires a 6-foot-tall fence, a berm or hedge to conceal the area. The existing lift station is currently screened from the right of way. Please provide screening from the right of way to continue screening from public view. Please depict, at a minimum, the required lift station screening per Sec. 6.02.01 of the City's LDC.
20. **SATISFIED.** Please consider pervious open joint pavers in this location to increase pervious percentages. Please include pavers at the entrance drive of the site to increase visual interest, with a different pattern of pavers proposed to delineate the pedestrian crossing in front of the entrance drive.
21. **SATISFIED.** Please propose lighting along the sidewalk adjacent to the Central Parkway right-of-way.
22. **SATISFIED.** Please revise the project narrative to include the information discussed in the comment response letter to expand on the statement given regarding attainable housing. The applicant states within the submitted justification statement that the FLU amendment will provide residences for those who work within the City of Stuart and would serve to alleviate some of the City's commuter congestion. Please provide an analysis that allows this project to provide attainable housing to the workforce in Martin County. Please include in the analysis that individuals or households at AMI level in Martin County can purchase unit(s) within this proposed development.
23. **ONGOING. Please show that the easement is "to be abandoned" on any applicable plans. Also, staff has not received a letter of support from the Towne Park Condominium Association. Please provide. A condition of approval will be drafted to abandon all such easements proposed to be abandoned prior to plat approval.** ORB 706 PG 839 references a perpetual and exclusive recreation easement for the benefit of the Town Parke Condominium Association and its successors and assigns to be used for recreational and park purposes only. The easement shall be covenants running with the land and shall benefit and burden the parties hereto (including all unit owners in Towne

Park North Condominium) and each of their successors and assigns. Furthermore, the recorded easement document states that the developer of Towne Park is able to use this area to compute unit density for the Town Parke Condominium project. Please address how the Applicant intends to provide recreational and park benefits to the Sailfish Cay and Towne Park residents in this area and clarify that the" this area has not been utilized in the past for unit density for Towne Park as the Applicant is utilizing the gross area of the project site to calculate density. in terms of utilizing the area for unit density. Finally, please provide a letter from the Towne Park Condominium Association stating they have no objection to the Applicant's proposal.

24. **Please provide a sidewalk from building 8 to internal sidewalks.**
25. **Please provide grasses/groundcover in addition to trees and sod in the ROW medians.**
26. **Please ensure that the sewer line under trees in buffer and behind buildings 6 & 7 will not conflict with proposed landscaping.**
27. **Please cure the condition of the new 6-foot-wide sidewalk conflict with the fire hydrant in between buildings 11 and 12 (updated plan sent by email last week)**
28. **Please provide additional grasses and groundcover at the entry median near the monument sign.**
29. **Please remove all references to gated gentry on applicable plans (i.e. sign plan).**
30. **Please add a larger variety of plantings in the bioswale areas (especially those visible from the project entrance).**
31. **Please note, a condition of approval will be drafted requiring the Applicant and its successors or assigns to construct and maintain in perpetuity all proposed right-of-way improvements in accordance with the approved plans.**

Architecture - Passed

32. **The Applicant has stated that in their experience, varying paint colors do not provide an amenity but are rather detrimental to the sale of the units; as such, Staff has withdrawn this comment.** Please provide different color palettes for the buildings to increase a sense of place and variation from building to building. Staff appreciates the attention to detail regarding architecture proposed along the building frontages. Please evaluate opportunities to provide different textures, colors, and materials along the side and rear elevations of the townhouse units.
33. **SATISFIED.** A rendering was provided of the rear of the cabana building. Four sided elevations are required. Please provide architectural elevations of the cabana building.

Engineering – Drainage/Stormwater – Failed

34. **SATISFIED.** A brief written description of the location and purpose of the project, the existing conditions of the site, the existing conditions surrounding the site, and the proposed improvements.
35. **SATISFIED.** A detailed analysis of the perimeter conditions of the site to establish any drainage flows on or off of the site, including:

- a. Topographic map with one foot contour lines extending a minimum of 200 feet off of the project site.
 - b. A plan showing adjacent wetlands, adjacent developments, or any significant adjacent features.
 - c. A written narrative describing the perimeter conditions along each side of the project with statements about the presence or absence of on or off-site flows.
 - d. A written description and analysis of the outfall route of the project to the ultimate receiving body. The outfall route may be the limiting factor for the project discharge rate. If a positive legal outfall for the project cannot be established, the project must be designed to hold the 100-year storm on site.
36. **SATISFIED.** A detailed analysis of the interior conditions of the site to establish the predevelopment rate and volume of runoff from the site, including:
- a. Topographic map with one foot contour lines,
 - b. Soils description and map, land cover description and map, groundwater table analysis, wetlands analysis and map,
 - c. A plan showing existing development, FEMA flood zones, location relative to the Coastal High Hazard Area, or any other significant onsite features.
 - d. A written narrative describing the interior conditions of the project.
 - e. Calculations to establish the predevelopment runoff rate and volume. The Rational Formula is generally not an acceptable calculation.
37. **SATISFIED.** A written description and analysis of the water quality treatment to be used on the project.
38. **SATISFIED.** Provide hydrant coverage circles around the proposed fire hydrant locations so that building coverage criteria can be verified.
39. **SATISFIED.** Provide documentation that the existing sanitary lift station has additional capacity for the proposed development of this site.
40. **ADDRESSED.** The revised plan still shows the sewer services on the north and east sides of the project flowing to a terminal manhole in front of building #8. Update the sewer flow direction adjacent to buildings 7 and 8 as it is currently depicting flow to a terminal manhole.
41. **ADDRESSED.** The revised plan still shows the sewer services on the north and east sides of the project flowing to a terminal manhole in front of building #8. Verify the sewer flow for the project. The existing lift station is located at the southeast corner of the site, however flow is depicted flowing to the north property line.
42. **ADDRESSED.** Please clarify if the lift station easement is being revised. Please clarify what the dashed line is indicating. Provide clarification on the easement around the lift station. There is an easement that the southeast corner of building 12 appears to encroach on.

43. **ONGOING.** Provide more information on the drainage patterns for this site.
 - a) How much offsite area is discharging through this site via the exiting drainage easement.
 - b) **ONGOING.** The Towne Park North site needs to be provided as a node in the model so that pre and post elevations can be evaluated. The applicant has modeled the discharge and made reference to adding a flap gate to the structure that accepts off-site drainage. While this would prevent stormwater from backing up into the adjacent site, we do not have enough information to evaluate if the stages on the Towne Park North site would be increased over the current condition. By evaluation of the 25-year 3-day storm on-site, the stage increases from 12.09 to 12.6, which may translate to a stage increase offsite as well. It appears the offsite flow will be discharged to the proposed pond and comingled with the development's stormwater. Existing and proposed elevations upstream must be evaluated.
44. **SATISFIED.** Label the proposed control structure on the plan.
45. **NO FURTHER COMMENT.** Reroute the discharge piping to minimize the private conveyance system within the public right of way.
46. **ONGOING. See comment 11.** Please evaluate the opportunity to elongate the entrance median (landscape island) to push the specimen tree and entrance sign farther back to allow for additional site visibility. Site visibility triangles are called out the entrance, however the triangles are not showing up.
47. **WITHDRAWN as a waiver is requested by Applicant.** All interior sidewalks shall be a minimum of 6 feet wide per City code.
48. **WITHDRAWN as project is no longer a gated community.** Will the call box open both sliding gates simultaneously?
49. **SATISFIED.** Provide autoturn exhibits demonstrating fire truck and garbage truck routes through the site.
50. **SATISFIED.** Update the typical lake cross section to reflect the location of the sidewalk.
51. **ONGOING. Control elevation is still in conflict. The plan shows 8.0 in the typical lake section. The control structure detail and stormwater report both reflect 8.5.** The plan shows a control elevation of 9.5 NAVD versus the stormwater report of 8.0 NAVD.
52. **NEW COMMENTS 3/21/22 RE: SURFACE WATER MANAGEMENT REPORT**
 - a) **ONGOING.** Staff's consultant agrees that the Geotech report supports a seasonal high-water table of 8.5. This does however create an issue in that the tailwater condition is 10. The stormwater report does not show recovery below 10. Additional information will need to be added to the stormwater model to reflect recovery through soil permeability to recover below the tailwater condition down to the seasonal high-water table. Section 3.5 – the control elevation of 8.0 NAVD is supported by the geotechnical report, however it is lower than the downstream elevation shown on page 18 of the report which summarizes adjacent properties ERPs. Has the SFWMD accepted the elevation of 8?

- b) **ONGOING. Exfiltration trench volume has been verified. Show on the plan where the 590 LF of trench will be located.** Section 3.7 – Please verify the treatment volume from BMP Trains. It appears it should be 1.083 ac-ft
- c) **ONGOING. See revised Comment 35.b.** Section 3.9 – please clearly demonstrate how the 9.26 cfs from Towne Park Condominiums is addressed in the ICPR model. Page 39 of the report has an external hydrograph that appears to be this flow; however, the input report does not show how it is connected to the system. Further the referenced hydrograph on page 39 shows a peak flow of 9.18 instead of 9.26.
- d) **ONGOING. See revised Comment 35.b.** Related to comment e) above, since the discharge from Towne Park Condominiums is routed thru this site and is impacted by the lake control structure, an upstream node to represent Towne Park needs to be added to document the upstream stages do not rise from pre to post condition.

Building Department – Passed with Comments

53. **NO FURTHER COMMENT.** Permitting will be considered multi-family unless definition of townhouse is followed. FBC Ch.2: Townhouse means a single-family dwelling unit not exceeding three stories in height constructed in a group of two or more attached units with property lines separating such units in which extends from the foundation to roof and with a yard or public way on not less than two sides.

Environmental – Passed with Comments – Revised 3.21.22

54. Section 5.01.00 - Complete.

55. Section 5.02.00 – Incomplete. Environmental Assessment Report – Additional information is needed on the listed species habitat, survey methodology and the location of transects conducted, along with any copies of coordination conducted with US Fish and Wildlife Service (USFWS) and/or Florida Fish and Wildlife Commission (FWC).

- a) February 2022 Update: Incomplete. The applicant claims that a listed species survey cannot be conducted until closer to construction due to survey expiration dates; however, a review of listed species habitat, preliminary surveys and a description of methodology can be conducted and are required. Additionally, coordination with USFWS or FWC has not been provided or discussed. An updated environmental assessment report with this additional information is needed.

- i. **ONGOING. Updated report revised 2/17/22 states that a gopher tortoise habitat was observed onsite but that a 100% gopher tortoise survey conducted by a FWCC Authorized Agent will be required within 90 days of any clearing or grading activity occurring onsite. Please ensure that all documents do not conflict and that a better clarification is provided.**

56. Section 5.05.00 – Incomplete. Trees – Tree inventory data was not provided.

- a) February 2022 Update: Complete.

57. Section 5.07.00 Incomplete. Floodplains and Flood Damage Prevention – No data on on-site floodplains have been provided.
a) February 2022 Update: Complete.

City of Stuart Public Works – Passed with Comments

58. **This review is not for construction.**
59. **The City of Stuart Utility Availability Fees – all fees must be paid prior to the activation of utility service(s). Please contact Marc Rogolino @ (772)-221-4700 for calculation of fees.**
60. **The Developer is responsible for all costs associated with the construction of proposed utilities (water, sanitary sewer, etc.) & Public Right-of-way improvements.**
61. **Engineer of Record to provide a project cost estimate for (Water & Sanitary sewer items broken out separately) for the calculating of required PW Dept. Inspection fees. Public Works Dept. inspection fees must be paid prior to activation of water service.**
62. **All construction pertinent to this Department shall be installed, inspected, and tested in accordance with the City of Stuart Minimum Design and Construction Standards latest edition and the City of Stuart Specifications and Ordinances where applicable. In case of discrepancies between the construction plans and aforementioned manuals, the most restrictive shall apply.**
63. **All plans to be reviewed by this Department shall be routed through the Permit Technician in the Development Department. Approval by this department shall not be construed as authority to violate, cancel, alter or set aside any of the provisions of the City Code. Approval shall not prevent this department from thereafter requiring a correction of errors in plans, construction or violation of City Code.**
64. **Code compliance rests with the design engineer.**

Fire Department – CONCEPTUALLY APPROVED. Construction plans shall conform with the Florida Fire Prevention Code

65. **SATISFIED.** Show on plans how buildings conform with NFPA 1, 18.2.3.2.2 Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Carlyle Tiller, being first duly sworn, depose(s) and say(s):

That (I am) we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

751 SE Central Parkway, Stuart, FL, 34994

That a copy of the notice was sent by regular U.S. Mail on (07/08/2022) to the property owners within 300 feet of the subject property.

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit.



SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF Palm Beach

Sworn and subscribed before me by means of X physical presence or online notarization, this 8th day of July, 2022 By

Carlyle Tiller

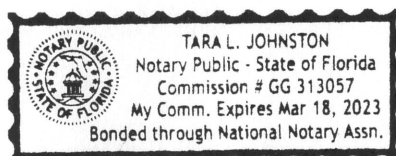
Personally Known OR Produced Identification

Type of Identification Produced:

Notary Public, State of FL
(Notary Seal)

My Commission expires:

March 18th, 2023





PCN	Owner	Account	DOR Code	House#	Prefix
Note that search results may not					
09-38-41-025-001-01120-0	597601 CENTRAL PARKWAY	154189	704	597	SE
09-38-41-025-001-01130-0	597601 CENTRAL PARKWAY	154190	704	601	SE
09-38-41-025-003-03050-0	637 SE CENTRAL PARKWAY L	154211	704	637	SE
09-38-41-013-000-00090-1	6T INVESTMENTS LLC	26637	704	Unknown Address	
09-38-41-025-003-03040-0	6T INVESTMENTS LLC	154210	704	633	SE
09-38-41-013-000-00070-5	6T INVESTMENTS LLC	26635	704	919	SE
09-38-41-025-003-03030-0	6T INVESTMENTS LLC	154209	704	629	SE
09-38-41-013-000-00220-4	947 SE CENTRAL PARKWAY L	26650	704	947	SE
09-38-41-013-000-00250-7	955 SE CENTRAL PARKWAY L	26653	704	955	SE
09-38-41-011-801-00110-0	A NU LEAF NURSERY INC	26451	104	801	SE
09-38-41-025-002-02040-0	A&W ENDEAVORS LLC	154198	704	Unknown Address	
09-38-41-025-002-02030-0	A&W ENDEAVORS LLC	154197	704	515	SE
09-38-41-025-002-02060-0	A&W ENDEAVORS LLC	154200	704	525	SE
09-38-41-025-002-02050-0	A&W ENDEAVORS LLC	154199	704	521	SE
09-38-41-011-802-00080-4	ADAMS DALE HADAMS LUZ	26464	104	802	SE
09-38-41-011-801-00130-6	ALATI ANTONIO CMEDEIROS	26453	104	801	SE
09-38-41-011-805-00070-9	ANDERSON MARK	26511	104	805	SE
09-38-41-011-804-00030-1	ANNA CASON DECLARATION	26491	104	804	SE
09-38-41-033-004-21120-0	APPLETON BUILDING LLC	503557	704	2112	SE
09-38-41-025-003-03020-0	ASO REALTY GROUP LLC	154208	704	625	SE
09-38-41-011-805-00160-0	BARRY MARTHA	26520	104	805	SE
09-38-41-011-805-00090-5	BASCOMBE GREGORY	26513	104	805	SE
09-38-41-011-806-00070-7	BASS THOMAS K L/E	26527	104	806	SE
09-38-41-011-802-00120-6	BERGER, CHARLES A	26468	104	802	SE
09-38-41-011-805-00050-3	BERTOLINI THOMAS L/EBER	26509	104	805	SE
09-38-41-025-002-02100-0	BOWMAN SCOTT	154204	704	541	SE
09-38-41-014-000-00010-7	BOYS ARE US LTD	26663	717	710	SE
09-38-41-025-002-02070-0	BRIONES LUIS C & DOLORES	154201	704	529	SE
09-38-41-011-802-00070-6	BRUNO, MICHAEL A	26463	104	802	SE
09-38-41-011-801-00120-8	CAGLIANO MARIO	26452	104	801	SE
09-38-41-013-000-00010-8	CALIDAD PROPERTIES LLC	26629	704	Unknown Address	
09-38-41-013-000-00030-4	CALIDAD PROPERTIES LLC	26631	704	903	SE
09-38-41-033-005-21160-0	CANNON INVESTMENT GROU	572651	704	2118	SE
09-38-41-011-805-00120-9	CANTORE CHRISTOPHER	26516	104	805	SE
09-38-41-011-804-00060-4	CANZONETTA, GARY ACANZI	26494	104	804	SE
09-38-41-011-803-00050-8	CARLETON GRACE	26477	104	803	SE
09-38-41-011-805-00010-2	CARLETON MARK A & GRACI	26505	104	805	SE
09-38-41-025-002-02080-0	CARPINO HOLDINGS LLC	154202	704	533	SE
09-38-41-011-805-00040-6	CARRYL LISA M	26508	104	805	SE
09-38-41-013-000-00050-9	CCAM LLC	26633	704	Unknown Address	
09-38-41-013-000-00060-7	CCAM LLC	26634	704	911	SE
09-38-41-013-000-00040-2	CCAM LLC	26632	704	909	SE
09-38-41-025-000-00001-0	CENTRAL PARKWAY BUSINES	154177	944	Unknown Address	
09-38-41-028-000-00030-0	CENTRAL PARKWAY PLAZA L	157494	700	Unknown Address	
09-38-41-013-000-00001-0	CENTRAL PARKWAY PROFES	132304	944	Unknown Address	

09-38-41-011-803-00100-8	CHAPMAN, BARBARA A	26482	104	803 SE
09-38-41-033-000-00001-0	CITY PROFESSIONAL CENTER	724258	944	Unknown Address
09-38-41-025-001-01110-0	CLJJLD LANDHOLDINGS LLC	154188	704	593 SE
09-38-41-025-001-01150-0	CLJJLD LANDHOLDINGS LLC	154192	704	609 SE
09-38-41-011-806-00100-1	CONAHAN JORDAN	26530	104	806 SE
09-38-41-011-802-00090-2	CONKLIN, MARSHALL A	26465	104	802 SE
09-38-41-025-002-02010-0	CONNELLY HOLDINGS LLC	154195	704	505 SE
09-38-41-025-002-02020-0	CONNELLY HOLDINGS LLC	154196	704	509 SE
09-38-41-011-802-00160-7	CORCORAN JOHN F	26472	104	802 SE
09-38-41-011-804-00070-2	COWHER, THOMAS G	26495	104	804 SE
09-38-41-011-806-00160-8	CRANDALL BOBBIE G L/E	26536	104	806 SE
09-38-41-011-000-00001-1	CYPRESS HOLDING LLC	26439	670	Unknown Address
09-38-41-011-801-00070-8	DAVIDOVAC SINISAKONESKA	26447	104	801 SE
09-38-41-025-003-03070-0	DDZM PARTNERS LLC	154213	704	645 SE
09-38-41-025-003-03060-0	DDZM PARTNERS LLC	154212	704	641 SE
09-38-41-011-804-00020-3	DEARY PAMELA	26490	104	804 SE
09-38-41-025-002-02110-0	DESIGN BLIND AND DRAPER'	154205	704	545 SE
09-38-41-025-002-02090-0	DESIGN BLIND AND DRAPER'	154203	704	537 SE
09-38-41-025-002-02120-0	DESIGN BLIND-DRAPERY SER	154206	704	549 SE
09-38-41-025-001-01160-0	DIVERSIFIED THERAPEUTICS	154193	704	613 SE
09-38-41-025-001-01170-0	DIVERSIFIED THERAPEUTICS	154194	704	617 SE
09-38-41-011-804-00150-5	DOMINICO, DANIELLE	26503	104	804 SE
09-38-41-011-802-00060-8	DONALD & SHIRLEY A WIEG	26462	104	802 SE
09-38-41-011-803-00160-5	DOOBAY BHISHMA YUDHEY'	26488	104	803 SE
09-38-41-011-806-00110-9	DOYLE JAMES LDOYLE SUSA	26531	104	806 SE
09-38-41-013-000-00310-5	EK 4 US RESOURCES LLC	26659	704	967 SE
09-38-41-013-000-00320-3	EK 4 US RESOURCES LLC	26660	704	969 SE
09-38-41-011-801-00150-1	ELSON ROBERTELSON RONI	26455	104	801 SE
09-38-41-025-003-03100-0	ENDRISS, JEFFREY W & CARE	154216	704	657 SE
09-38-41-011-804-00160-3	EZRA M & LAURA H APPEL IN	26504	104	804 SE
09-38-41-011-801-00040-5	FISHER, LOUISE	26444	104	801 SE
09-38-41-011-804-00080-0	FLORA, VIRGINIA C	26496	104	804 SE
09-38-41-011-802-00140-2	FLOWERS ROBERT JFLOWER	26470	104	802 SE
09-38-41-013-000-00240-0	FRASER CONSULTING LLC	26652	704	951 SE
09-38-41-011-804-00010-5	GARBER KELLY E	26489	104	804 SE
09-38-41-011-801-00030-7	GASPARIAN ANNIE MISAC	26443	104	801 SE
09-38-41-011-806-00120-7	GAUDER JOEGAUDER GLENN	26532	104	806 SE
09-38-41-011-806-00140-3	GAUDER LILORUNNING JANE	26534	104	806 SE
09-38-41-011-803-00120-4	GORMAN JAMES	26484	104	803 SE
09-38-41-025-001-01020-0	GSW ENTERPRISES LLC	154179	704	557 SE
09-38-41-025-001-01040-0	GSW ENTERPRISES LLC	154181	704	565 SE
09-38-41-025-001-01030-0	GSW ENTERPRISES LLC	154180	704	561 SE
09-38-41-011-801-00050-2	GUNDERSON, ELIZABETH A	26445	104	801 SE
09-38-41-011-802-00100-0	HALAMKA GREGORY J	26466	104	802 SE
09-38-41-011-801-00080-6	HANDWERKER LEE	26448	104	801 SE
09-38-41-011-806-00010-0	HARMON MICHELLE E	26521	104	806 SE
09-38-41-011-804-00040-9	HATZAKOS PETERHATZAKOS	26492	104	804 SE

09-38-41-011-803-00060-6	HAYHURST, JEREMIAH V	26478	104	803 SE
09-38-41-025-001-01090-0	HILL DAVID E & VIRGINIA LA	154186	704	585 SE
09-38-41-011-806-00080-5	HIRSCH JANICE MILDREDDU	26528	104	806 SE
09-38-41-011-806-00150-0	HIRSCH SUSAN J	26535	104	806 SE
09-38-41-011-803-00080-2	HUFNAGEL MARK F SRHUFN	26480	104	803 SE
09-38-41-025-003-03090-0	HUTCHINSON BONNIE JO	154215	704	653 SE
09-38-41-025-001-01100-0	ISADORE WILLIAM A & MAR	154187	704	589 SE
09-38-41-011-802-00110-8	JAMES NOLA TRUST	26467	104	802 SE
09-38-41-011-803-00030-3	JANINE LEE WIEGOLD REVOC	26475	104	803 SE
09-38-41-011-802-00040-3	JASON HOUTRIDES REVOCAL	26460	104	802 SE
09-38-41-011-803-00010-7	JEFFREY L BERMAN AND LIS/	26473	104	803 SE
09-38-41-011-805-00140-5	JOANNE C MCVICAR TRUST	26518	104	805 SE
09-38-41-011-802-00130-4	JOHNSON ANGELA C	26469	104	802 SE
09-38-41-011-801-00090-4	JOHNSON ANGELA C	26449	104	801 SE
09-38-41-025-003-03120-0	KABINOFF GARY	154218	704	665 SE
09-38-41-025-001-01080-0	KEIRCAL LLC	154185	704	581 SE
09-38-41-011-804-00110-4	KIMBERLIN, PAMELA	26499	104	804 SE
09-38-41-011-804-00090-8	KIRCH KATHLEEN	26497	104	804 SE
09-38-41-011-804-00050-6	KIRCH SUSAN KINANE	26493	104	804 SE
09-38-41-011-803-00020-5	KRUKOWSKI MARGO	26474	104	803 SE
09-38-41-011-801-00100-2	KVAPIL JOANNE M	26450	104	801 SE
09-38-41-025-003-03010-0	LAND TRUST NO THREE	154207	704	621 SE
09-38-41-011-806-00020-8	LEASE, LINDA C	26522	104	806 SE
09-38-41-025-001-01140-0	LEE JIMMY C & SHIRLEY S	154191	704	605 SE
09-38-41-011-802-00020-7	LEFT BANK PROPERTIES LLC	26458	104	802 SE
09-38-41-011-801-00020-9	LEONARD SANDRA JEANCLO	26442	104	801 SE
09-38-41-013-000-00280-1	LEWIS RICHARD ALEWIS LOR	26656	704	961 SE
09-38-41-011-802-00010-9	LOPEZ LUCILA	26457	104	802 SE
09-38-41-011-803-00150-7	LUNDBLAD LOISLUNDBLAD I	26487	104	803 SE
09-38-41-011-805-00100-3	MACDONALD DAVID R & MA/	26514	104	805 SE
09-38-41-011-806-00050-1	MARSDEN JUNE K L/E	26525	104	806 SE
09-38-41-011-803-00140-0	MARY K MAZZONE IRREVOC	26486	104	803 SE
09-38-41-011-801-00010-1	MASON ANNE	26441	104	801 SE
09-38-41-013-000-00100-9	MCDONALD TROY & PORTIA	26638	704	921 SE
09-38-41-011-805-00130-7	MCGARRAHAN PATSY	26517	104	805 SE
09-38-41-011-801-00140-4	MCLEAN KAREN	26454	104	801 SE
09-38-41-011-805-00080-7	MCLEAN KIRKMCLEAN PAMI	26512	104	805 SE
09-38-41-013-000-00290-9	MEDER JOSEPH R & TAMMIE	26657	704	963 SE
09-38-41-013-000-00300-7	MEDER JOSEPH R & TAMMIE	26658	704	Unknown Address
09-38-41-020-000-00003-0	MERRICK R DMERRICK P M	128297	979	Unknown Address
09-38-41-020-000-00002-0	MERRICK R DMERRICK P M	128296	959	1898 SE
09-38-41-011-805-00150-2	MICHAEL & JANET BALDWIN	26519	104	805 SE
09-38-41-013-000-00180-2	MIRYANA MOORE SCHUBER	26646	704	937 SE
09-38-41-014-000-00020-5	NATIONAL HEALTH INVESTO	26664	678	800 SE
09-38-41-014-000-00030-3	NATIONAL HEALTHCORP L.P	26665	674	860 SE
09-38-41-011-803-00070-4	NAVY BLUE TRUST	26479	104	803 SE
09-38-41-025-001-01070-0	NICHOLSON SHARMAIN	154184	704	577 SE

09-38-41-013-000-00200-8	NINA L FERRARO PA	26648	704	943 SE
09-38-41-013-000-00210-6	NINA L FERRARO PA	26649	704	939 SE
09-38-41-013-000-00190-0	NOLEB LLC	26647	704	941 SE
09-38-41-000-000-00400-1	NP I INC	25846	716	2044 SE
09-38-41-011-805-00110-1	OCHARCHIN SANDRA	26515	104	805 SE
09-38-41-033-003-21080-0	PENSION SOURCE INC	787055	704	2108 SE
09-38-41-025-001-01050-0	PROPERTY SERVICE ASSOCIA	154182	704	569 SE
09-38-41-025-001-01010-0	PROPERTY SERVICE ASSOCIA	154178	704	553 SE
09-38-41-011-806-00040-4	PROPERTY VENTUR-Z LLC	26524	104	806 SE
09-38-41-011-805-00030-8	RAMO FAMILY IRREVOCABLI	26507	104	805 SE
09-38-41-013-000-00170-4	RISK COMPLIANCE INC	26645	704	935 SE
09-38-41-033-001-21000-0	RITTER ONE LLC	281358	704	2100 SE
09-38-41-025-003-03080-0	RONALD D RENNER TRUST	154214	704	649 SE
09-38-41-025-001-01060-0	RYAN MANAGEMENT LLC	154183	704	573 SE
09-38-41-011-801-00160-9	SALLADE THEODORE ASALLA	26456	104	801 SE
09-38-41-011-806-00060-9	SAMMITO, NORA J	26526	104	806 SE
09-38-41-013-000-00080-3	SCHAMBACK BONNIE	26636	704	917 SE
09-38-41-011-801-00060-0	SCHREER, ALEX & ELLE	26446	104	801 SE
09-38-41-011-802-00050-0	SCHUERMAN PATRICK	26461	104	802 SE
09-38-41-033-002-21040-0	SE RAYS WAY LLC	856687	704	2104 SE
09-38-41-013-000-00150-8	SEELY GREG & PORTIA	26643	704	933 SE
09-38-41-013-000-00160-6	SEELY GREG & PORTIA	26644	704	Unknown Address
09-38-41-013-000-00140-1	SEELY GREGSEELY PORTIA	26642	704	929 SE
09-38-41-013-000-00120-5	SEELY GREGSEELY PORTIA	26640	704	Unknown Address
09-38-41-013-000-00110-7	SEELY GREGSEELY PORTIA	26639	704	925 SE
09-38-41-013-000-00130-3	SEELY GREGSEELY PORTIA	26641	704	Unknown Address
09-38-41-011-802-00150-9	SENKER FAMILY REVOCABLE	26471	104	802 SE
09-38-41-013-000-00230-2	SERENITY MASSAGE & MOVI	26651	704	949 SE
09-38-41-013-000-00340-9	SHAW STUARTSHAW JUDITH	26662	704	973 SE
09-38-41-013-000-00330-1	SHAW STUARTSHAW JUDITH	26661	704	971 SE
09-38-41-011-804-00140-8	SILVA FAMILY MANAGEMEN	26502	104	804 SE
09-38-41-013-000-00020-6	SOUTHERN WAYPOINT LLC	26630	704	907 SE
09-38-41-020-000-00060-0	STUART HILLS LODGE LLC	128303	739	1900 SE
09-38-41-011-803-00130-2	STUART MARJORIEFRY TERE	26485	104	803 SE
09-38-41-011-804-00120-2	TEMPLE KRISTENTEMPLE JOI	26500	104	804 SE
09-38-41-011-804-00130-0	THORNE JEREMY JTHORNE S	26501	104	804 SE
09-38-41-011-000-00001-0	TOWNE PARK NORTH COND	26440	974	Unknown Address
09-38-41-013-000-00260-5	TRADEWINDS PROPERTY M/	26654	704	959 SE
09-38-41-013-000-00270-3	TRADEWINDS PROPERTY M/	26655	704	Unknown Address
09-38-41-011-803-00090-0	TROSTLE PATRICIA ATROSTL	26481	104	803 SE
09-38-41-011-804-00100-6	VALENCIC, EDWARD A	26498	104	804 SE
09-38-41-011-806-00130-5	VALPATIC DAVID J	26533	104	806 SE
09-38-41-011-803-00110-6	VITALI, RAYMOND R & DORC	26483	104	803 SE
09-38-41-011-805-00020-0	WALKER BEVERLY ANNWALK	26506	104	805 SE
09-38-41-011-806-00090-3	WHITE NANCY C L/EWHITE L	26529	104	806 SE
09-38-41-025-003-03110-0	WOJNO TERESA	154217	704	661 SE
09-38-41-011-802-00030-5	WOOD DIANE M	26459	104	802 SE

09-38-41-011-803-00040-1	WRIGHT PATRICIA W	26476	104	803 SE
09-38-41-011-806-00030-6	YOUNGLOVE WALTER JEFFRI	26523	104	806 SE

Street	Street Type	Post Dir	Suite	City	State	Zip	Mail Street	Mail City
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	601 SE CEN	STUART
							19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	19 NE LOFT	STUART
CENTRAL	PKWY			STUART	FL	34994	3533 SE FA	STUART
CENTRAL	PKWY			STUART	FL	34994	955 SE CEN	STUART
CENTRAL	PKWY		11	STUART	FL	34994	1110 SW B.	STUART
							PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	PO BOX 11	PALM CITY
CENTRAL	PKWY		8	STUART	FL	34994	802 CENTR	STUART
CENTRAL	PKWY		13	STUART	FL	34994	500 SW AS	PORT ST LL
CENTRAL	PKWY		7	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		3	STUART	FL	34994	JULIA ANN	STUART
WAYS	WAY			STUART	FL	34994	1708 CORP	BOYNTON I
CENTRAL	PKWY			STUART	FL	34994	4310 SE BA	STUART
CENTRAL	PKWY		16	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		9	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		7	STUART	FL	34994	806 SE CEN	STUART
CENTRAL	PKWY		12	STUART	FL	34994	802 CENTR	STUART
CENTRAL	PKWY		5	STUART	FL	34994	4155 NW C	JENSEN BE
CENTRAL	PKWY			STUART	FL	34994	701 SW PI	PALM CITY
CENTRAL	PKWY			STUART	FL	34994	700 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	5640 SE NC	STUART
CENTRAL	PKWY		7	STUART	FL	34994	802 SE CEN	STUART
CENTRAL	PKWY		12	STUART	FL	34994	801 SE CEN	STUART
							903 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	903 SE CEN	STUART
WAYS	WAY			STUART	FL	34994	2116 SE RA	STUART
CENTRAL	PKWY		12	STUART	FL	34994	805 SE CEN	STUART
CENTRAL	PKWY		6	STUART	FL	34994	7830 DINE	NOVELTY
CENTRAL	PKWY		5	STUART	FL	34994	233 NE TRE	JENSEN BE
CENTRAL	PKWY		1	STUART	FL	34994	233 NE TRE	JENSEN BE
CENTRAL	PKWY			STUART	FL	34994	533 SE CEN	STUART
CENTRAL	PKWY		4	STUART	FL	34994	805 SE CEN	STUART
							909 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	909 SE CEN	STUART
CENTRAL	PKWY			STUART	FL	34994	909 SE CEN	STUART
							2370 NE O	STUART
							12 S RIDGE	STUART
							909 SE CEN	STUART

CENTRAL	PKWY	10	STUART	FL	34994 803 SE CEN STUART 2100 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 305 VAN BITEANECK
CENTRAL	PKWY	9	STUART	FL	34994 802 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 3870 SW C. PALM CITY
CENTRAL	PKWY		STUART	FL	34994 3870 SW C. PALM CITY
CENTRAL	PKWY	16	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	7	STUART	FL	34994 PO BOX 20 STUART
CENTRAL	PKWY	16	STUART	FL	34994 806 SE CEN STUART 902 CARNE PRINCETON
CENTRAL	PKWY	7	STUART	FL	34994 3554 CEDA MISSISSAUI
CENTRAL	PKWY		STUART	FL	34994 645 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 645 SE CEN STUART
CENTRAL	PKWY	2	STUART	FL	34994 2586 SW FI PALM CITY
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 549 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 613 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	6	STUART	FL	34994 DONALD & STUART
CENTRAL	PKWY	16	STUART	FL	34994 SEAWAY PK WELLAND
CENTRAL	PKWY	11	STUART	FL	34994 343 EDINBI CHADDS FC
CENTRAL	PKWY		STUART	FL	34994 969 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 969 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 30 W 86TH NEW YORK
CENTRAL	PKWY		STUART	FL	34994 595 SW SA STUART
CENTRAL	PKWY	16	STUART	FL	34994 999 SW 38' PALM CITY
CENTRAL	PKWY	4	STUART	FL	34994 801 CENTR STUART
CENTRAL	PKWY	8	STUART	FL	34994 804 CENTR STUART
CENTRAL	PKWY	14	STUART	FL	34994 460 SE ST L STUART
CENTRAL	PKWY		STUART	FL	34994 1526 NW B PALM CITY
CENTRAL	PKWY	1	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	3	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	12	STUART	FL	34994 201F TYNH BARRIE
CENTRAL	PKWY	14	STUART	FL	34994 8 PINE POII BARRIE
CENTRAL	PKWY	12	STUART	FL	34994 173 BROOK SCARSDALE
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY	5	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 W6462 OLI MINONG
CENTRAL	PKWY	1	STUART	FL	34994 1211 E KEN TAMPA
CENTRAL	PKWY	4	STUART	FL	34994 516 SW CA STUART

CENTRAL	PKWY	6	STUART	FL	34994 3515 NE SK JENSEN BE/
CENTRAL	PKWY		STUART	FL	34994 PO BOX 31 STUART
CENTRAL	PKWY	8	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 6765 SW C STUART
CENTRAL	PKWY		STUART	FL	34994 1309 SE 9T STUART
CENTRAL	PKWY		STUART	FL	34994 1189 SW F PALM CITY
CENTRAL	PKWY	11	STUART	FL	34994 JAMES NOI JENSEN BE/
CENTRAL	PKWY	3	STUART	FL	34994 JANINE LEE PALM CITY
CENTRAL	PKWY	4	STUART	FL	34994 1925 SW V PORT SAIN'
CENTRAL	PKWY	1	STUART	FL	34994 JEFFREY L E PALM CITY
CENTRAL	PKWY	14	STUART	FL	34994 JOANNE C I STUART
CENTRAL	PKWY	13	STUART	FL	34994 1725 NE 15 MIAMI
CENTRAL	PKWY	9	STUART	FL	34994 1725 NE 15 MIAMI
CENTRAL	PKWY		STUART	FL	34994 665 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 PO BOX 18 PALM CITY
CENTRAL	PKWY	11	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	9	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	5	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	2	STUART	FL	34994 3901 SHEL I WATERFOF
CENTRAL	PKWY	10	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 A WAYNE S STUART
CENTRAL	PKWY	2	STUART	FL	34994 806 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 3449 SW S PALM CITY
CENTRAL	PKWY	2	STUART	FL	34994 6 STATE ST WARREN
CENTRAL	PKWY	2	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 594 SE HID PORT SAIN'
CENTRAL	PKWY	1	STUART	FL	34994 802 SE CEN STUART
CENTRAL	PKWY	15	STUART	FL	34994 803 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 40 HIGHLA FT ERIE
CENTRAL	PKWY	5	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY	14	STUART	FL	34994 JAMIE MAZ WINTHROP
CENTRAL	PKWY	1	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 921 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 805 SE CEN STUART
CENTRAL	PKWY	14	STUART	FL	34994 801 SE CEN STUART
CENTRAL	PKWY	8	STUART	FL	34994 805 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 5656 SW E' STUART
					5656 SW E' STUART
					UPTON MANOR
FEDERAL	HWY		STUART	FL	34994 UPTON MANOR
CENTRAL	PKWY	15	STUART	FL	34994 MICHAEL A BRISTOW
CENTRAL	PKWY		STUART	FL	34994 MIRYANA I STUART
CENTRAL	PKWY		STUART	FL	34994 800 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 860 SE CEN STUART
CENTRAL	PKWY	7	STUART	FL	34994 SUZANNE C STUART
CENTRAL	PKWY		STUART	FL	34994 577 SE CEN STUART

CENTRAL	PKWY		STUART	FL	34994 939 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 939 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 8304 SE KE HOBE SOUI
FEDERAL	HWY		STUART	FL	34994 4280 PROF PALM BEAC
CENTRAL	PKWY	11	STUART	FL	34994 1802-500 C STONEY CR
WAYS	WAY		STUART	FL	34994 2110 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 553 SE CEN STUART
CENTRAL	PKWY	4	STUART	FL	34994 2586 SE ST STUART
CENTRAL	PKWY	3	STUART	FL	34994 JACQUELIN MERRICK
CENTRAL	PKWY		STUART	FL	34994 935 SE CEN STUART
WAYS	WAY		STUART	FL	34994 1817 SW C PALM CITY
CENTRAL	PKWY		STUART	FL	34994 RONALD D JENSEN BE/
CENTRAL	PKWY		STUART	FL	34994 PO BOX 47 WICHITA
CENTRAL	PKWY	16	STUART	FL	34994 PO BOX 48 LEWISBURC
CENTRAL	PKWY	6	STUART	FL	34994 806 CENTR STUART
CENTRAL	PKWY		STUART	FL	34994 917 SE CEN STUART
CENTRAL	PKWY	6	STUART	FL	34994 9860 SW 1 MIAMI
CENTRAL	PKWY	5	STUART	FL	34994 PO BOX 21 STUART
WAYS	WAY		STUART	FL	34994 2104 SE RA STUART
CENTRAL	PKWY		STUART	FL	34994 37 NE LOFT STUART
					37 NE LOFT STUART
CENTRAL	PKWY		STUART	FL	34994 37 NE LOFT STUART
					37 NE LOFT STUART
CENTRAL	PKWY		STUART	FL	34994 37 NE LOFT STUART
					37 NE LOFT STUART
CENTRAL	PKWY	15	STUART	FL	34994 RICHARD & STUART
CENTRAL	PKWY		STUART	FL	34994 949 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 973 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 973 SE CEN STUART
CENTRAL	PKWY	14	STUART	FL	34994 6950 SW 1 MIAMI
CENTRAL	PKWY		STUART	FL	34994 907 SE CEN STUART
FEDERAL	HWY	112	STUART	FL	34994 13187 ASH FAIRFAX
CENTRAL	PKWY	13	STUART	FL	34994 228 VICTOI TIVERTON
CENTRAL	PKWY	12	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 804 SE CEN STUART
					430 SW LAI PORT SAIN'
CENTRAL	PKWY		STUART	FL	34994 959 SE CEN STUART
					959 SE CEN STUART
CENTRAL	PKWY	9	STUART	FL	34994 803 SE CEN STUART
CENTRAL	PKWY	10	STUART	FL	34994 804 SE CEN STUART
CENTRAL	PKWY	13	STUART	FL	34994 181 SW SO STUART
CENTRAL	PKWY	11	STUART	FL	34994 68 VIRGINI WILKES BA
CENTRAL	PKWY	2	STUART	FL	34994 33 OLIVER THAMESFC
CENTRAL	PKWY	9	STUART	FL	34994 806 SE CEN STUART
CENTRAL	PKWY		STUART	FL	34994 5799 NE ISI STUART
CENTRAL	PKWY	3	STUART	FL	34994 265 MORG RICHMONC

CENTRAL PKWY
CENTRAL PKWY

4 STUART FL
3 STUART FL

34994 803 SE CEN STUART
34994 806 SE CEN STUART

Mail State Mail Zip

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NJ	8540
ON	L4Y2Y5
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ON	L3C7B3
PA	19317
FL	34994
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NY	10024
FL	34997
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FL	34996
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ON	L4N7F7
ON	L4M4Y8
NY	10583
FL	34994
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WI	54859
FL	33602
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FL	34991
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MI	48328
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FL	34994-3945
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RI	2885
FL	34994
FL	34983
FL	34994
FL	34994
ON	L2A2X5
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MA	2152
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VA	20136
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FL	33410
ON	L8E3M6
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FL	34997
NY	11566
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FL	34990
FL	34957
KS	67201-7854
PA	17837
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FL	34994
FL	33156
FL	34994
VA	22033
ON	N0G2T0
FL	34994
FL	34994
FL	34986
FL	34994
FL	34994
FL	34994
FL	34994-3938
FL	34997
PA	18705
ON	N0M2M0
FL	34994
FL	34996
NH	3470

FL	34994
FL	34994

CITY OF STUART, FLORIDA

AGENDA ITEM REQUEST

City Commission

Meeting Date: 7/25/2022

Prepared by: Erin Wohlitka, Michael Mortell

Title of Item:

REPEAL & REESTABLISH CHAPTER 36, ARTICLE V, CODE OF ORDINANCES (RC):

ORDINANCE No. 2488-2022; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

Summary Explanation/Background Information on Agenda Request:

This ordinance has been drafted in order to address updates to the Florida State Statutes regarding small-cell wireless communications facilities in the public rights-of-way. This ordinance provides registration requirements and reasonable regulations for communications providers who wish to utilize public rights-of-way for the installation and maintenance of communications facilities. The Ordinance was first heard in June but due to changes was continued until July 11, 2022. The matter was then continued again because the revised version of the Ordinance was not attached to the agenda. Because the Ordinance has been rewritten to comply with updates to the State Statute, it has been reset as a First Reading to provide sufficient time and opportunity for public input. The intent of the ordinance is to provide design guidelines and a procedure for the City to track the installation of equipment within its right-of-ways. In order to remain consistent with other local communities, the Ordinance was based on the language adopted by the Village of Jupiter Island.

Exhibit "A" is not red lined because it is all new language.

Funding Source:

N/A

Recommended Action:

Approval of Ordinance No. 2488-2022.

ATTACHMENTS:

1. Ordinance 2488-2022 - Repeal and Reestablish Chapter 36, Article V of Code of Ordinances
2. Ordinance 2488-2022 Exhibit 'A'



**BEFORE THE CITY COMMISSION
CITY OF STUART, FLORIDA**

ORDINANCE NUMBER 2488-2022

*** * * * ***

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA, REPEALING AND REESTABLISHING CHAPTER 36, ARTICLE V, COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS OF WAY, OF THE CITY OF STUART CODE OF ORDINANCES; PROVIDING INTENT AND PURPOSE, APPLICABILITY AND AUTHORITY TO IMPLEMENT; PROVIDING DEFINITIONS; PROVIDING FOR NOTICE OF TRANSFER, SALE, OR ASSIGNMENT OF ASSETS; PROVIDING FOR REGISTRATION FOR PLACING OR MAINTAINING COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHTS-OF-WAY; PROVIDING THE REQUIREMENT OF A PERMIT; PROVIDING FOR APPLICATION REQUIREMENTS AND REVIEW PROCEDURES; PROVIDING FOR CONSTRUCTION METHODS FOR PLACING OR MAINTAINING FACILITIES IN PUBLIC RIGHTS-OF-WAY; PROVIDING DEVELOPMENT AND OBJECTIVE DESIGN STANDARDS; PROVIDING FOR INSURANCE AND INDEMNIFICATION; PROVIDING FOR FEES AND TAXES; PROVIDING FOR A RESERVATION OF RIGHTS AND REMEDIES; PROVIDING ENFORCEMENT AUTHORITY; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITIES; PROVIDING FOR AN EFFECTIVE DATE.

*** * * * ***

WHEREAS, the City Commission of the City of Stuart, Florida has determined that the following amendments promote and protect the general health, safety and welfare of the residents

of the City of Stuart by providing reasonable regulations to communications facilities and utility poles within the public rights-of-way; and

WHEREAS, this Ordinance accommodates the growing needs and demand for communications services and new facilities and technologies; and

WHEREAS, Section 337.401, Florida Statutes, addresses *inter alia*, the authority of local governments to regulate the placement and maintenance of communications facilities in the public rights-of-way; and

WHEREAS, rules and regulations imposed by a local government relating to communications service providers that desire to place or maintain communications facilities in its rights-of-way must be generally nondiscriminatory and competitively neutral; and

WHEREAS, in 2017, Florida enacted the Advanced Wireless Infrastructure Deployment Act, codified in Subsection 337.401(7), *Florida Statutes* (“the Small Cell Statute”); and

WHEREAS, the Small Cell Statute creates new requirements and allowances for local governments relating to the installation of utility poles in the public rights-of-way to support small wireless facilities, micro wireless facilities, and the collocation of small wireless facilities and micro wireless facilities in the public rights-of-way; and

WHEREAS, the Small Cell Statute provides that a local government may adopt by ordinance objective design standards requiring a small wireless facility to meet reasonable location context, color, camouflage and concealment requirements, objective design standards requiring a new utility pole intended to support the collocation of small wireless facilities that replace an existing facility to be of substantially similar design, material, and color, and reasonable spacing requirements concerning the location of ground-mounted equipment; and

WHEREAS, the Small Cell Statute also provides that a local government may adopt by ordinance provisions for insurance coverage, indemnification, performance construction bonds, force majeure, abandonment, and city liability provided such provisions are reasonable and nondiscriminatory; and

WHEREAS, in 2019, the Florida Legislature enacted and the Governor approved CS/CS/CS/SB 1000 (“SB 1000”), amending Section 337.401, Florida Statutes, including portions of the Small Cell Statute; and

WHEREAS, it is the City Commission’s intent to exercise its authority over the placement and maintenance of communications facilities in its rights-of-way to the full extent consistent with applicable state and federal law; and

WHEREAS, it is the City Commission’s further intent to treat each communications services provider in a reasonable, nondiscriminatory, and competitively neutral manner in exercising such authority to the extent consistent with applicable law; and

WHEREAS, it is the City’s intent that rules or regulations imposed by the City relating to providers of communications services placing or maintaining communications facilities in its roads or rights-of-way must be generally applicable to all providers of communications services; and

WHEREAS, the city’s rights-of-way are essential for the travel of persons and the transport of goods throughout the city and are a unique and physically limited resource requiring proper management by the city to ensure public safety, maximize efficiency, minimize costs to city taxpayers for the foregoing uses, reasonably balance the potential inconvenience to and negative effects upon the public from the placement and maintenance of communications facilities in the rights-of-way against the substantial benefits that accrue from such placement and maintenance, and promote the public health, safety and general welfare; and

WHEREAS, the City Commission has reviewed the regulations set forth in this Ordinance and has determined that such regulations are consistent with the city's Comprehensive Plan; and

WHEREAS, the City Clerk submitted notice of the first hearing on this proposed Ordinance to the Florida Secretary of State, consistent with Section 337.401(3)(d), Florida Statutes; and

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA:

SECTION 1. The foregoing WHEREAS clauses are ratified and incorporated as the legislative intent of this Ordinance. The Regulation of Communications Facilities on Private Property is found within Chapter 36, Article V, of the City of Stuart Code of Ordinances.

SECTION 2. That CHAPTER 36, ARTICLE V; SECTION 36-128 through 36-153 COMMUNICATIONS FACILITIES IN THE PUBLIC RIGHT OF WAYS, is hereby repealed and replaced with such language attached as **Exhibit "A"**;

SECTION 3. All ordinances or parts of ordinances in conflict herewith be and the same are hereby revoked.

SECTION 4. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect any provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end, the provisions of this ordinance are declared to be severable.

SECTION 5. This ordinance shall become effective upon passage.

Passed on first reading the ___ day of _____ 2022.

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

Commissioner _____ offered the foregoing Ordinance and moved its adoption. The motion was seconded by Commissioner _____ and upon being put to a roll call vote, the vote was as follows:

MERRITT MATHESON, MAYOR
TROY MCDONALD, VICE MAYOR
BECKY BRUNER, COMMISSIONER
EULA R. CLARKE, COMMISSIONER
MIKE MEIER, COMMISSIONER

YES	NO	ABSENT	ABSTAIN

ADOPTED on second and final reading this _____ day of _____, 2022.

ATTEST:

MARY R. KINDEL
CITY CLERK MAYOR

MERRITT MATHESON

APPROVED AS TO FORM
AND CORRECTNESS:

MICHAEL J. MORTELL, ESQ.
CITY ATTORNEY

(The remainder of this page intentionally left blank)

CITY'S ACKNOWLEDGMENT

The above Ordinance, Acceptance and Agreement was acknowledged before The above Ordinance, Acceptance and Agreement was acknowledged before me by means of ☐ physical presence or ☐ online notarization this _____ day of _____, 2022 Merritt Matheson, Mayor, and Mary Kindel, City Clerk, respectively, of the City of Stuart, Florida, a Florida municipal corporation, who ☐ are personally known to me or ☐ have produced _____ as identification.

(Notary Seal)

Signature of Notary Public

Printed Name: _____

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CHAPTER 36 STREETS, SIDEWALKS AND OTHER PUBLIC PLACES

ARTICLE V. Communications Facilities in the Public Rights-Of-Way.

Sec. 36-128. - Intent and purpose; Applicability; Authority to Implement.

(a) Intent and purpose. It is the intent of the City to promote the public health, safety and general welfare by providing for the placement and maintenance of communications facilities in the public rights-of-way within the City; adopting and administering reasonable rules and regulations not inconsistent with state and federal law, including the United States and Florida Constitutions, F.S. § 337.401, as it may be amended, the City's home-rule authority, and in accordance with the provisions of the Federal Telecommunications Act of 1996, § 6409(a) of the Spectrum Act of 2012, (codified as 47 U.S.C. § 1455(a)), FCC regulations, and other federal and state law; establishing reasonable rules and regulations necessary to manage the placement and maintenance of communications facilities in the public rights-of-way by all communications services providers after the effective date of this section; and minimizing disruption to the public rights-of-way. In regulating its public rights-of-way, the City shall be governed by and shall comply with all applicable federal and state laws.

(b) Applicability.

(1) This Ordinance shall apply to all facilities for communications services placed or maintained in the City public rights-of-way pursuant to F.S. § 337.401, including but not limited to any person holding a certificate of franchise authority pursuant to F.S. § 610.103, communications services providers, pass-through providers, and wireless providers. To the extent not prohibited by applicable law, this Ordinance shall apply to all applications pending at the time of adoption of this Ordinance, to place or maintain communications facilities in the public rights-of-way. Persons seeking to place or maintain communications facilities on private property or other property to which the City, any municipality, special district, Martin County, Martin County School Board, State of Florida, or federal government has a fee-simple or leasehold interest in real property, not within and exclusive of the public rights-of-way, located within the jurisdictional boundaries of the City shall comply with the applicable provisions of the Land Development Regulations and the City Code of Ordinances unless such property is addressed expressly in this Ordinance or applicable law. This Ordinance is not applicable to communication facilities outside the public rights-of-way, unless addressed expressly herein. Pursuant to this Ordinance, a person may be authorized to place or to maintain communications facilities, including small wireless facilities, micro wireless facilities, utility poles for collocation of small wireless facilities, fiber, coaxial cable, and backhaul facilities in the City public rights-of-way. Wireless support structures, telecommunications towers and other wireless facilities, including but not limited to an antenna that is not part of a small wireless facility or micro wireless facility, shall not be allowed to be placed or maintained in the public rights-of-way unless otherwise authorized in this Ordinance, to the extent not inconsistent with applicable law. This Ordinance applies to the placement of conduit, fiber or cable for the purpose of providing backhaul or communications service. Consistent with F.S. § 337.401, this Ordinance applies to a cable or video service provider that has been issued and holds a certificate of franchise authority from the Florida Department of State pursuant to F.S. § 610.103, that places or maintains a cable system or

wireline facilities in the City's public rights-of-way. Rules or regulations imposed by the City relating to providers of communications services placing or maintaining communications facilities in its roads or rights-of-way shall be generally applicable to all providers of communications services, to the extent federal or Florida law does not require different treatment. Florida law requires that the City's rules and regulations take into account the distinct engineering, construction, operation, maintenance, public works, and safety requirements of the provider's facilities. Accordingly, in the exercise of the City's authority, as required by Florida law, this Ordinance provides different regulations applicable to various communications facilities. This Ordinance does not apply to electric utility poles for an electric distribution system located in the City public rights-of-way pursuant to a valid franchise agreement with the City. However, collocation of small wireless facilities on such utility poles and any utility poles not for an electric distribution system placed or maintained by a City franchised utility in the public rights-of-way will be governed by the applicable provisions of this Ordinance. Ordinances approving a franchise agreement and a valid franchise agreement with an electric utility shall remain in full force and effect, notwithstanding any provision of this Ordinance. This Ordinance shall not apply to communications facilities owned by the City or to communications facilities owned by a person, including an electric cooperative, to the extent such facilities are utilized solely on an internal, non-commercial basis by said person.

(2) This Ordinance implements inter alia, F.S. § Section 337.401, as amended, including the Advanced Wireless Infrastructure Deployment Act, F.S. § 337.401(7) ("Small Cell Statute"). By adopting this Ordinance, the City does not waive any rights including any rights that may exist under federal law, the Florida Constitution and the U.S. Constitution. In the event F.S. § 337.401, is repealed, amended, or overturned by a court of competent jurisdiction, or preempted by applicable federal law or regulation, in whole or in part, provisions of this Ordinance may no longer apply, in which case pending and future applications or requests for communications facilities in the public rights-of-way will be governed by applicable law. In addition, permits issued pursuant to this Ordinance may be suspended or revoked, and facilities installed pursuant to permits issued pursuant to this Ordinance or without permits as authorized by this Ordinance may be required to be removed at the facility owner's expense, to the extent consistent with applicable law. It is the City's intent not to create any vested rights in placing and maintaining communications facilities in the public rights-of-way as a result of this Ordinance or any permit issued pursuant to this Ordinance, to the extent not inconsistent with applicable law.

(3) To the extent any provision of this Ordinance conflicts with the Code of Ordinances or Land Development Regulations of the City of Stuart, this Ordinance shall control.

(4) This Ordinance shall be applicable to all communications facilities placed in the public rights-of-way on or after the effective date of this Ordinance, all pending applications for permits subject to this Ordinance, and all existing communications facilities placed in the public rights-of-way prior to the effective date of this Ordinance, to the full extent permitted by state and federal law. A person with existing communications facilities in the public rights-of-way shall comply with this Ordinance by the earlier of the following: ninety (90) days from the effective date of this Ordinance or prior to submitting an application for a permit pursuant to this Ordinance. This provision shall not require the removal or alteration of existing communications facilities placed or maintained in the public rights-of-way pursuant

to a previously issued permit or otherwise lawfully installed prior to the effective date of this Ordinance unless such facilities are abandoned or otherwise required to be altered or removed by the City Manager, or pursuant to enforcement of this Ordinance or applicable law.

(5) Reservation of rights. The City reserves the right to amend this Ordinance as it shall find necessary in the lawful exercise of its police powers.

(c) Authority to implement Ordinance. The City Manager is authorized to adopt, to modify, and to repeal rules and regulations, not inconsistent with this Ordinance, to carry out the intent and purposes of this Ordinance.

Sec. 36-129. - Definitions.

For the purposes of this Ordinance, the following terms, phrases, words and derivations shall have the meanings given. Where not inconsistent with the context, words used in the present tense include the future tense, words in the plural number include the singular number, and words in the singular number include the plural number. The words "shall" and "will" are mandatory, and "may" is permissive. Words not otherwise defined in this Ordinance or in any permit that may be granted pursuant to this Ordinance shall be given the meaning set forth in the Communications Act of 1934, 47 U.S.C. § 151 et seq., as amended or § 6409(a) of the Spectrum Act of 2012, 47 U.S.C. § 1455(a) (collectively the "Communications Act"), and if not defined in the Communications Act, as defined by Florida Statutes; and, if not defined by Florida Statutes, as defined in the Code, and if not defined in the Code, shall be construed to mean the common and ordinary meaning.

ABANDONMENT OR ABANDONED. The cessation of all uses of a communications facility for a period of one hundred eighty (180) or more consecutive days provided this term shall not include the cessation of all use of a communications facility within a physical structure where the physical structure continues to be used for some purpose or use accessory to the communications facility. By way of example, cessation of all use of a cable within a conduit, where the conduit continues to be used for some purpose or use accessory to the communications facility, shall not be Abandonment of a communications facility. A wireless infrastructure provider's failure to have a wireless service provider provide service through a small wireless facility collocated on a utility pole within nine (9) months after the application is approved in accordance with F.S. § 337.401(7)(j) shall constitute abandonment. The terms Abandonment or Abandoned are not intended to include a dropped line from a potential or existing customer in the event the communications services provider reasonably anticipates future use of the dropped line.

ABUT. When used in conjunction with a lot or parcel of land or public right-of-way, means a lot or parcel of land or public right-of-way that shares all or a part of a common lot line or boundary line with another lot or parcel of land or public right-of-way.

ADJACENT PROPERTIES OR PROPERTIES ADJACENT. Those lots or parcels of land that abut another lot or parcel of land or public right-of-way that is contiguous to a communications facility site or proposed site and (ii) the lots or parcels of land or public right-of-way that would be contiguous to lots or parcels or public rights-of-way but for an intervening local or collector roadway.

ANTENNA. Communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.

APPLICABLE CODES. Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization or local amendments to those codes enacted solely to address threats of destruction of property or injury to persons, including, but not limited expressly to the Florida Building Code, National Electrical Code, National Electrical Safety Code, 2017 Edition of the Florida Department of Transportation Utility Accommodation Manual, the "Safety Rules for the Installation and Maintenance of Electrical Supply and Communication Lines" established by the Department of Commerce, Bureau of Standards of the United States, as may be amended, and City codes or ordinances, and standards and regulations, to the extent not inconsistent with the 2017 Edition of the Florida Department of Transportation Utility Accommodation Manual.

APPLICANT. A registrant who submits an application.

APPLICATION. A request submitted by an applicant to the City for a permit to collocate small wireless facilities or to place a new utility pole used to support a small wireless facility in the public rights-of-way.

AS-BUILT PLANS. A set of final and complete drawings in a format as specified by the City submitted upon completion of a project, signed and sealed by professional surveyor or mapper as defined in F.S. § 472.005, that reflects all changes made during the construction process, and shows the exact dimensions, geometry and location of all elements of the work completed under the permit.

AUTHORITY. The City, to the extent it has jurisdiction and control of the rights-of-way of any public road. The term does not include the Department of Transportation rights-of-way under the jurisdiction and control of the department, which are excluded from F.S. § 337.401(7).

AUTHORITY or CITY UTILITY POLE. A utility pole owned by the City in the public right-of-way. The term does not include a utility pole owned by a municipal electric utility, a utility pole used to support municipally owned or operated electric distribution facilities, or a utility pole located in the right-of-way within:

- (a) A retirement community that:
 - (i) Is deed restricted as housing for older persons as defined in F.S. § 760.29(4)(b).
 - (ii) Has more than 5,000 residents; and
 - (iii) Has underground utilities for electric transmission or distribution.

BACKHAUL FACILITIES. A physical transmission path, all or part of which is within the public rights-of-way controlled by the City or any government entity, used for the transport of communications data by wire or fiber from a wireless facility to a network. A Backhaul Facility may also consist of an antenna, including a microwave antenna, installed in the public rights-of-way pursuant to a permit, used for the transport of communications data wirelessly from a wireless facility to a network.

BELOW-GRADE COMMUNICATIONS FACILITY. Communications facilities, including manholes or access points, that are entirely contained below grade within the public rights-of-way.

CLEAR ZONE. Consistent with the latest edition of the Florida Department of Transportation Index, the roadside border area, starting at the edge of the traveled way, available for safe use by errant vehicles. This area may consist of a shoulder, recoverable slope, non-recoverable slope, clear runout area, or combination thereof. The width of the clear zone is dependent upon the traffic volumes and speeds, and on the roadside geometry.

COLLOCATION OR COLLOCATE. To install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term does not include the installation of a new utility pole or wireless support structure in the public rights-of-way.

COMMUNICATIONS FACILITY or FACILITY or SYSTEM. Any permanent or temporary plant, equipment and property, including but not limited to cables, wires, conduits, ducts, fiber optics, poles, antennae, converters, splice boxes, cabinets, hand holes, manholes, vaults, drains, surface location markers, appurtenances, wireless facilities, wireless support structure, wireline backhaul facilities, small wireless facilities, micro wireless facility, and other equipment or pathway placed or maintained or to be placed or maintained in the public rights-of-way of the City and used or capable of being used to transmit, convey, route, receive, distribute, provide or offer communications services. A utility pole intended for collocation of a small wireless facility shall be considered a facility for purposes of this Ordinance.

COMMUNICATIONS SERVICES. The transmission, conveyance or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points, by or through any electronic, radio, satellite, cable, optical, microwave, or other medium or method now in existence or hereafter devised, including wireless services, regardless of the protocol used for such transmission or conveyance, and shall also include cable service and video service as defined in F.S. §§ 610.103(1) and (11).

COMMUNICATIONS SERVICES PROVIDER. Any person making available or providing communications services through the placement or maintenance of a communications facility in public rights-of-way, or a wireless infrastructure provider.

COMMUNICATIONS SERVICES TAX. The local communications services tax authorized to be levied and collected by counties and municipalities upon communication service providers for communications services, pursuant to F.S. § 202.19, as amended.

CONSOLIDATED PERMIT APPLICATION. A single permit application that would otherwise require individual permit applications for the collocation of between two (2) and thirty (30) small wireless facilities to existing structures within the public rights-of-way.

EXCAVATE or EXCAVATION. Consistent with the definition contained in F.S. § 556.102(6), as it may be amended, any manmade cut, cavity, trench, or depression in the earth's surface, formed by removal of earth, intended to change the grade or level of land, or intended to penetrate or disturb the surface of

the earth, including land beneath the waters of the state, as defined in F.S. § 373.019(22), and the term includes pipe bursting and directional drilling or boring from one point to another point beneath the surface of the earth, or other trenchless technologies.

EXTENSION OF EXISTING FACILITIES or EXTENSION. Those extensions from the public rights-of-way into a customer's private property for purposes of placing a service drop or those extensions from the public rights-of-way into a utility easement to provide service to a discreet identifiable customer or group of customers. An extension of fiber or cable to serve a property with multiple customers, for example, a commercial building with multiple tenants, shall not constitute an extension of existing facilities unless all tenants are served by the owner of the facilities under one agreement.

FCC. The Federal Communications Commission.

FLORIDA BUILDING CODE. The Florida Building Code promulgated under F.S. ch. 553 and includes the applicable amendments thereto as both may be amended from time to time.

FLORIDA GREENBOOK. The latest edition of the Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance of Streets and Highways.

FORCE MAJEURE EVENT. A cause or event not within a person's control that shall include, without limitation, acts of God, floods, earthquakes, landslides, hurricanes, fires and other natural disasters, acts of public enemies, riots or civil disturbances, sabotage, strikes and restraints imposed by order of a governmental agency or court. Causes or events within a person's control, and thus not constituting a force majeure event for purposes of this Ordinance, shall include, without limitation, the financial inability to perform or comply, economic hardship, and misfeasance, malfeasance or nonfeasance by any of person's directors, officers, employees, contractors or agents.

GRAFFITI. Any inscriptions, word, figure, painting or other defacement that is written, marked, etched, scratched, sprayed, drawn, painted or engraved on or otherwise affixed to any communications facility whether or not authorized by the registrant of the communications facility. A wrap shall not be considered graffiti.

HISTORIC PROPERTY. Any prehistoric or historic district, site, building, structure, or object or other real or personal property, of historical, architectural or archaeological value to preserve the character and aesthetics of the City. Historic Preservation of the City Code of Ordinances or as designated historic and/or scenic under State or law. These properties or resources may include, but are not limited to, roadways, sidewalks, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, engineering works, treasure troves, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, character, scale, or culture of the City.

HOMEOWNERS' ASSOCIATION. An incorporated association whose members consist of owners of single-family homes or condominium units that manage or control property owned by the association.

IN PUBLIC RIGHTS-OF-WAY or IN THE PUBLIC RIGHTS-OF-WAY. In, on, over, under or across the public rights-of-way.

LICENSED ENGINEER. A Florida registered professional engineer, or person who is exempt from such registration requirements as provided in F.S. § 471.003.

LOT. A designated parcel of land established by plat, subdivision, or as otherwise permitted by law, to be used, developed, or built upon as a unit.

MICRO WIRELESS FACILITY. A small wireless facility having dimensions no larger than 24 inches in length, 15 inches in width, and 12 inches in height and an exterior antenna, if any, no longer than 11 inches.

PARCEL. Any piece of real property that has a single parcel identification number assigned to it by the Martin County Property Appraiser.

PASS-THROUGH PROVIDER. Any person, as defined in F.S. § 337.401(6)(a)1., who places or maintains a communications facility in the public rights-of-way and who does not remit taxes imposed by the City pursuant to F.S. ch. 202, as amended. A pass-through provider can also be a wireless infrastructure provider as defined herein, and/or an owner of a communications facility pursuant to this Ordinance.

PERMIT. The public right-of-way permit that must be obtained before a person may construct in the public right-of-way and shall include, but not be limited to, right-of-way engineering and construction permits issued by the City.

PERSON. Shall include any individual, children, firm, association, joint venture, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, organization or legal entity of any kind, successor, assignee, transferee, personal representative, and all other groups or combinations, but shall not include the City.

PLACE OR MAINTAIN or PLACEMENT OR MAINTENANCE or PLACING OR MAINTAINING. To erect, construct, install, maintain, place, repair, extend, expand, remove, occupy, locate or relocate. A communications services provider that owns or exercises physical control over communications facilities in public rights-of-way, such as the physical control to maintain and repair, is PLACING OR MAINTAINING the facilities. To the extent required by applicable law, a party providing service only through resale or only through use of a third party's unbundled network elements is not PLACING OR MAINTAINING the communications facilities through which such service is provided. The transmission and receipt of radio frequency signals through the airspace of the public rights-of-way is not PLACING OR MAINTAINING facilities in the public rights-of-way.

PSC. The Florida Public Service Commission.

PUBLIC RIGHTS-OF-WAY. A public right-of-way, public easement, highway, street, bridge, tunnel, waterway, dock, wharf, court, lane, path, or alley, or any other way for which the City is the authority that has jurisdiction and control and may lawfully grant access to such property pursuant to applicable law, and includes the surface, the air space over the surface and the area below the surface.

PUBLIC RIGHTS-OF-WAY shall not include private property. PUBLIC RIGHTS-OF-WAY shall not include any real or personal City property except as described above, and shall not include City parks, buildings, fixtures, poles, conduits, facilities or other structures or improvements, regardless of whether they are situated in the PUBLIC RIGHTS-OF-WAY.

REGISTRANT or FACILITY OWNER. A communications services provider or other person that has registered with the City in accordance with the provisions of this Ordinance.

REGISTRATION and REGISTER. The process described in this Ordinance whereby a communications services provider provides certain information to the City.

REQUESTER. A person who submits a request pursuant to this Ordinance.

REQUEST. Any request other than an *Application* submitted by a person, associated with the placement or maintenance of a communications facility other than the collocation of a small wireless facility or utility pole for the collocation of a small wireless facility in the public rights-of-way. A Request includes, but shall not be limited to, a request for approval of a registration, a request to place or maintain a communications facility other than the collocation of a small wireless facility or utility pole for the collocation of a small wireless facility in the public rights-of-way and includes for example, but is not limited to, a permit to construct cable, fiber, conduit, backhaul facilities, pedestals, or a support structure that does not constitute a utility pole for the collocation of a small wireless facility in the public rights-of-way.

SHROUD. A covering or enclosure of equipment associated with a small wireless facility, other than the antenna, collocated on an existing structure or wireless support structure.

SIGNAGE. Any display of characters, ornamentation, letters or other display such as, but not limited to, a symbol, logo, picture, or other device used to attract attention, or to identify, or as an advertisement, announcement, or to indicate directions, including the structure or frame used in the display. The term Signage shall not include identification of the owner and contact information of the wireless facility provider or utility pole, or identification of wires, cables, etc. necessary to aid in safety or hazard work or maintenance or repair work of the communications facility.

SMALL WIRELESS FACILITY. A wireless facility that meets the following qualifications:

- (a) Each antenna associated with the facility is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in volume; and
- (b) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.

SMART TECHNOLOGY. The City's present and future technology to support the City's smart technology initiatives, including but not limited to, sensors and smart lights, fiber, CCTV cameras, digital signage, data sharing with traffic applications, smart solar-powered charging stations, emergency alert applications and other initiatives over time.

STEALTH DESIGN. A method of camouflaging any tower, antenna or other communications facility, including, but not limited to, supporting electrical or mechanical equipment, or utility pole which is designed to enhance compatibility with the surrounding neighborhood and be as visually unobtrusive as possible.

SURROUNDING NEIGHBORHOOD. The area within a five hundred (500) foot radius of a communications facility site or proposed communications facility site.

UTILITY. Any electric transmission, voice, telegraph, data, or other communications services lines or wireless facilities; pole lines; poles; railways; ditches; sewers; water, heat, or gas mains; pipelines; fences; gasoline tanks and pumps; or other structures referred to in F.S. §§ 337.401, 337.402, 337.403, and 337.404 as the "utility."

UTILITY POLE. A pole or similar structure that is used in whole or in part to provide communications services or for electric distribution, lighting, traffic control, signage, or a similar function. The term includes the vertical support structure for traffic lights but does not include a horizontal structure to which signal lights or other traffic control devices are attached and does not include a pole or similar structure 15 feet in height or less unless an authority grants a waiver for such pole.

WIRELESS FACILITY. Equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration, and equipment associated with wireless communications. The term includes small wireless facilities. The term does not include:

- (a) The structure or improvements on, under, within, or adjacent to the structure on which the equipment is collocated;
- (b) Wireline backhaul facilities; or
- (c) Coaxial or fiber-optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

WIRELESS INFRASTRUCTURE PROVIDER. A person who has been certificated under F.S. ch. 364, to provide telecommunications service or under F.S. ch. 610 to provide cable or video services in the state, and such person's affiliate, and who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures but is not a wireless services provider.

WIRELESS PROVIDER. A wireless infrastructure provider or a wireless services provider.

WIRELESS SERVICES. Any services provided using licensed or unlicensed spectrum, whether at a fixed location or mobile, using wireless facilities.

WIRELESS SERVICES PROVIDER. A person who provides wireless services.

WIRELESS SUPPORT STRUCTURE. A freestanding structure, such as a monopole, a guyed or self-supporting tower, or another existing or proposed structure designed to support or capable of supporting wireless facilities. The term does not include a utility pole, pedestal, or other support structure for ground-based equipment not mounted on a utility pole and less than five (5) feet in height.

WRAP. An aesthetic covering depicting artistic or scenic imagery. Imagery in a wrap may not contain any advertising.

Sec. 36-130. - Registration for placing or maintaining communications facilities in public rights-of-way.

(a) All persons, including, but not limited to a communications services provider, pass-through provider, or wireless provider, seeking to place or maintain a communications facility, backhaul facility, utility pole for collocation of a small wireless facility, or wireless support structure in public rights-of-way in the City pursuant to this Ordinance shall maintain an effective registration with the City in accordance with this Ordinance before being eligible to receive a permit. Subject to the terms and conditions prescribed in this Ordinance and approval of a permit, if required, a registrant may place or maintain a communications facility in public rights-of-way. A communications services provider, pass-through provider, or wireless provider with an existing communications facility in the public rights-of-way of the City as of the effective date of this Ordinance has ninety (90) days from the effective date of this Ordinance to comply with the terms of this Ordinance, including, but not limited to obtaining an effective registration, or be in violation thereof.

(b) Requirements for an effective registration. A person that places or maintains a communications facility in the City shall file an original registration, along with two complete copies with the City Manager that shall include the following information:

- (1) Name of the registrant;
- (2) Name, address and telephone number of the registrant's primary contact person in connection with the registration and name, address, telephone number and email addresses of the registrant's primary contact person in the event of an emergency or issue involving its facilities, which shall be monitored 24 hours per day, 7 days per week.
- (3) A statement as to whether the registrant is a pass-through provider in the City as defined herein;
- (4) Evidence of the insurance coverage;
- (5) Acknowledgment that registrant has received and reviewed a copy of this Ordinance;

- (6) A copy showing the number of the registrant's certificate of authorization issued by the Florida Public Service Commission, the Florida Department of State, or the FCC; and
 - (7) The registrant's federal employer identification number.
- (c) Insurance.
- (1) Registrant shall provide, pay for and maintain satisfactory to the City, the types of insurance described herein. All insurance shall be from responsible companies duly authorized to do business in the state of Florida and having a rating in Best's Insurance Guide of A or better, or having a rating acceptable to the City. All liability policies shall provide that the City is an additional insured in the endorsement. The required coverages must be evidenced by properly executed certificates of insurance forms. The certificates must be signed by the authorized representative of the insurance company and shall be filed and maintained with the City annually. Thirty-days advance written notice by registered or certified mail must be given to the City of any cancellation, intent not to renew, or reduction in the policy coverages. In addition to the certificate of insurance, the registrant shall provide a copy of the insurance policy, if requested by the City. A provider of communications services may add the City to any existing insurance policy and the City shall accept such proof of coverage without any conditions other than consent to venue for purposes of any litigation to which the City is a party.
 - (2) The limits of coverage of insurance required shall be not less than the following:
 - i. Worker's compensation and employer's liability. Insurance employer's liability: Florida statutory requirements.
 - ii. Comprehensive general liability. Bodily injury and property damage: \$1,000,000.00 combined single limit each occurrence. Said coverage shall not exclude contractual liability, products/completed operations, independent or contractors.
 - iii. Automobile liability. Bodily injury and property damage: \$1,000,000.00 combined single limit each accident.
 - iv. Umbrella or excess liability. Registrant may satisfy the minimum limits required above for either commercial general liability, business auto liability and employer's liability coverage under umbrella or excess liability. The umbrella or excess liability shall have an aggregate limit not less than the highest "each occurrence" limit for commercial general liability, business auto liability or employer's liability. The City shall be specifically endorsed as an "additional insured" on the umbrella or excess liability, unless the certificate of insurance states the umbrella or excess liability provides coverage on a "follow-form" basis.
 - v. Self-insurance. Registrant may satisfy the insurance requirements and conditions of this division under a self-insurance plan and/or retention if acceptable to the City in its sole discretion based on the City's evaluation of the registrant's ability to comply with the Code.

Registrant agrees to notify the City, and/or indicate on the certificate(s) of insurance when self-insurance is relied upon or when a self-insured retention meets or exceeds \$100,000.00. The City reserves the right, but not the obligation, to request and review a copy of the registrant's most recent annual report or audited financial statement, which the registrant agrees to furnish for the purpose of determining the registrant's financial capacity to self-insure.

(3) Right to review. City, by and through its City Manager, reserves the right to review, modify, reject or accept any required policies of insurance or self-insurance, including limits, coverages, or endorsements herein from time to time throughout the life of this Ordinance. The City reserves the right, but not the obligation, to review and reject any insurer or self-insurer providing coverage because of its poor financial condition or failure to operate legally.

(4) This Ordinance shall not be construed to affect in any way the City's rights, privileges and immunities as set forth in F.S. § 768.28. Insurance under this Ordinance shall run continuously with the presence of the registrant's facilities in the public rights-of-way, and any termination or lapse of such insurance shall be a violation of this Ordinance and subject to the remedies as set forth herein. Notwithstanding the foregoing, the City may, in its sole discretion, require increased or decreased levels of insurance.

(d) Review of Registration. The City shall review the information submitted for the registration. If the information is in accordance with this subsection the City shall notify the requester of the effectiveness of registration in writing. If the City determines that the information has not been submitted in accordance with this subsection, the City shall notify the requester in writing of the non-effectiveness of registration, and reasons for the non-effectiveness. The City shall undertake to provide such notification within 30 days after receipt of registration information. A notice of non-effectiveness of a registration shall not preclude reapplying or filing subsequent requests for registration under the provisions of this Ordinance.

(e) Regulations Applicable to Registrations.

(1) A registration shall not convey any title, equitable or legal, in the public rights-of-way. Registration under this Ordinance governs only the placement or maintenance of communications facilities in public rights-of-way. To the extent not inconsistent with applicable law, registration does not excuse a communications services provider from obtaining appropriate access or pole attachment agreements before locating its facilities on the City's or another person's facilities. Within 90 days of any change in the information required to be submitted by a registrant, a registrant shall provide updated information to the City.

(2) Registration shall be nonexclusive. Registration shall not establish any right or priority to place or maintain a communications facility in any particular area in public rights-of-way within the City. Registrations are expressly subject to any future amendment to or replacement of this Ordinance, and further subject to any additional City ordinances, as well as any applicable state or federal laws.

(3) Unregistered use of public rights-of-way. To the extent that a communications services provider, wireless infrastructure provider or pass-through provider with facilities in the public rights-of-way, is not registered as required herein, said person shall register with the City pursuant to this Ordinance within ninety (90) days from the effective date of this Ordinance. No new permits shall be issued to unregistered persons with communications facilities within the public rights-of-way and such persons may be subject to the enforcement remedies.

(4) Registration renewal. A registrant shall renew its registration with the City by September 30, every five years from the first September after the effectiveness of the registration in accordance with the registration requirements in this Ordinance, as may be amended. If no information in the then-existing registration has changed, the renewal may state that no information has changed. Failure to renew a registration may result in the City restricting the issuance of additional permits until the communications services provider has complied with the registration requirements of this Ordinance. An existing effective registration pursuant to the City Code, prior to the effective date of this Ordinance shall continue to be effective and the registrant shall comply with this Ordinance by the earlier of the following: ninety (90) days from the effective date of this Ordinance, the renewal of a registration as required herein, or prior to submitting an application for a permit.

(5) Indemnification. A registrant shall, at its sole cost and expense, indemnify, hold harmless and defend the City, its officials, boards, members, agents and employees, against any and all claims, suits, causes of action, proceedings, judgments for damages or equitable relief, and costs and expenses incurred by the City arising out of the placement or maintenance of its communications system or facilities in public rights-of-way, or otherwise caused by the registrant, regardless of whether the act or omission complained of is authorized, allowed or prohibited by this Ordinance, provided however, that a registrant's obligations hereunder shall not extend to any damages caused solely by the negligence, negligence, or willful acts of the City and to the extent not inconsistent with applicable law. In no event shall the City be liable for any damage or destruction to a communications facility placed in the City public rights-of-way including on a City utility pole, to the extent not inconsistent with applicable law. This provision includes, but is not limited to, the City's reasonable attorneys' fees incurred in defending against any such claim, suit or proceedings. City agrees to notify the registrant, in writing, within a reasonable time of City receiving notice, of any issue it determines may require indemnification. Nothing in this Ordinance shall prohibit the City from participating in the defense of any litigation by its own counsel and at its own cost, if in the City's reasonable belief there exists or may exist a conflict, potential conflict or appearance of a conflict. Nothing contained in this Ordinance shall be construed or interpreted:

- i. as denying to either party any remedy or defense available to such party under the laws of the State of Florida;
- ii. as consent by the City to be sued; or

iii. as a waiver of sovereign immunity beyond the waiver provided in F.S. § 768.28, as it may be amended.

(6) A registrant may cancel a registration upon written notice to the City that the registrant will no longer place or maintain any communications facilities in public rights-of-way, and will no longer need to obtain permits to perform work in the public rights-of-way. A registrant shall not cancel a registration if the registrant continues to place or maintain any communications facilities in public rights-of-way.

(7) Liens. No liens shall apply to public rights-of-way or City property as a result of the placement or maintenance of a registrant's facilities in the public rights-of-way or on a City utility pole. Any liens on a registrant's facilities shall be subordinate to the rights of the City pursuant to this Ordinance. In the event any liens are filed on the City property or public rights-of-way, the registrant shall discharge such lien at its expense within ten (10) days of receiving notice, or the City may discharge such lien, and charge such costs plus reasonable attorney's fees to registrant.

(8) A registrant shall pay any personal property or other taxes or assessments that may be imposed on the registrant's facilities placed or maintained in the public rights-of-way or on the City's property including a utility pole as a result of a registrant's collocation on a City utility pole. A registrant shall reimburse the City for taxes paid by the City as a result of a registrant's facilities being placed or maintained in the public rights-of-way or on a City utility pole.

(9) *Reports and records.*

(a) Upon reasonable request, a registrant shall provide the following documents to the City as received or filed:

i. Any pleadings, petitions, notices, and documents, which may directly impact the obligations under this Ordinance and which are reasonably necessary for the City to protect its interests under this Ordinance.

ii. Any request for protection under bankruptcy laws, or any judgment related to a declaration of bankruptcy.

(b) The City shall keep any documentation, books and records of the registrant confidential to the extent required under Florida Statutes.

(10) Termination of Registration. The City may terminate a registration if:

(a) A federal or state authority suspends, denies, or revokes a registrant's certification or license required to provide communications services;

(b) The registrant's placement or maintenance of a communications facility in the public rights-of-way presents an extraordinary danger to the general public or other users

of the public rights-of-way and the registrant fails to remedy the danger promptly after receipt of written notice;

(c) The registrant abandons its facilities in the public rights-of-way; or

(d) The registrant commits substantial and material violations of any of the provisions of applicable codes including but not limited to this Ordinance.

(11) Notice of intent to terminate. Prior to termination, the City shall notify the registrant with a written notice setting forth all matters pertinent to the proposed termination action, including the reason therefore. The registrant shall have thirty (30) days after receipt of such notice within which to address or to eliminate the reasons or within which to present a plan, satisfactory to the City, to accomplish the same and to take such steps as are necessary to render every portion of the facilities remaining in the public rights-of-way of the City safe. If the plan is rejected by the City, the City shall provide written notice of such rejection within fifteen (15) days of receipt of the plan to the registrant and shall make a final determination as to termination of the registration and the terms and conditions relative thereto.

(12) Post termination action. In the event of termination, following any appeal period, the former registrant shall:

(a) in accordance with the provisions of this Ordinance and as may otherwise be provided under state law, notify the City of the assumption or anticipated assumption by another registrant of ownership of the registrant's communications facilities in the public rights-of-way; or

(b) provide the City with an acceptable plan for removal or disposition of its communications facilities in the public rights-of-way and restore the public rights-of-way to its condition immediately prior to the removal. If a registrant fails to comply with this subsection, the communications facilities are deemed to be abandoned and the City may exercise any remedies or rights it has at law or in equity as well as the City's remedies pursuant to this Ordinance, including but not limited to, utilize or allow other persons to utilize the registrant's facilities.

(i) The obligations of the registrant hereunder shall survive the termination of a registration.

(ii) A registrant that has its registration terminated by the City under this Ordinance may reapply for registration one (1) year after the termination date of the prior registration, unless otherwise permitted to reapply at the sole discretion of the City.

(13) When removal not authorized or required. In the event of termination of a registration, this Ordinance does not authorize the City to cause the removal of communications facilities used to provide another service for which the registrant or another person who owns or exercises

physical control over the communications facilities holds a valid certification or license with the governing federal or state agency, if required, for the provision of such service, and is registered with the City, if required.

(14) Transfer or control, sale or assignment of assets. If a registrant transfers, sells or assigns its registration or its facilities in the public rights-of-way, incident to a transfer, sale or assignment of the registrant's assets, the transferee, buyer or assignee shall be obligated to comply with the terms of this Ordinance. Written notice of any such transfer, sale or assignment shall be provided to the City within 20 days of the effective closing date of the transfer, sale or assignment. If the transferee, buyer or assignee is a current registrant, and is in compliance with the provisions of this Ordinance, then the transferee, buyer or assignee is not required to re-register. If the transferee, buyer or assignee is not a current registrant, or has an effective registration that is not in compliance with this Ordinance as it may have been amended, then the transferee, buyer or assignee shall register as provided in this Ordinance within 60 days of the transfer, sale or assignment. If permit applications are pending in the registrant's name, the transferee, buyer or assignee shall notify the appropriate City officials that the transferee, buyer or assignee is the new applicant.

(15) Pledges in trust or mortgages of the registrant may be made to any person with notice to the City. Any mortgage, pledge, lease or other encumbrance on the communications facilities shall be subject and subordinate to the rights of the City under this Ordinance and applicable law.

(16) City makes no warranties or representations regarding the fitness, suitability or availability of public rights-of-way for the registrant's communications facilities, and any performance of work or costs incurred by registrant or provision of services shall be at registrant's sole risk. Nothing in this Ordinance shall affect the City's authority to add, vacate or abandon public rights-of-way, and the City makes no warranties or representations regarding the availability of any added, vacated or abandoned public rights-of-way for communications facilities.

(17) Conditional use of public rights-of-way.

(a) In the event registrant desires to use its existing facilities or to construct new facilities for the purpose of providing other utility or non-utility services to existing or potential consumers or resellers, by providing any other services other than the provision of communications service, or for providing any other use to existing or potential consumers, a registrant shall seek such additional and separate authorization from the City for such activities as may be required by applicable law.

(b) To the extent that any person or registrant leases or otherwise uses the facilities of a person that is duly registered or otherwise authorized to place or maintain facilities in the public rights-of-way of the City, such person or registrant shall make no claim, nor assert any right which will impede the lawful exercise of the City's rights, including requiring the removal of such facilities from the public rights-of-way of the City, regardless

of the effect on registrant's ability to place or maintain its own communications facilities in public rights-of-way of the City.

Sec. 36-131. – Requirement of a permit.

(a) In accordance with applicable law, City ordinances, codes and regulations, including this Ordinance, a right-of-way use permit issued by the City shall be required for a communications services provider, communications facility provider or a pass-through provider to place or to maintain a communications facility in the public rights-of-way unless otherwise exempt pursuant to this Ordinance. An effective registration shall be a condition of obtaining a permit. Notwithstanding an effective registration, permitting requirements shall continue to apply. A permit may be obtained by or on behalf of a registrant having an effective registration if all permitting requirements are met. A registrant shall not commence to place or to maintain a communications facility in the public rights-of-way until all applicable permits have been issued by the City or other appropriate authority. Registrant shall comply with all City requirements for issuing permits, including reasonable rules or regulations governing the placement or maintenance of a communications facility in public rights-of-way. Permits shall apply only to the areas of public rights-of-way specifically identified in the permit. The City may issue a blanket permit to cover certain activities, such as routine maintenance and repair activities, that may otherwise require individual permits or may impose lesser requirements. Requests for ancillary permits required to operate a communications facility, including but not limited to electrical permits, shall be processed pursuant to the City's rules and regulations. The City may deny or withhold the ancillary permit if the registrant is otherwise in violation of the City Code.

(b) Limited Exceptions to Permit Requirement.

(1) A registrant that is in compliance with this Ordinance shall be allowed to perform service restoration work on existing facilities, or repair work, including but not limited to, emergency repairs of existing facilities or extensions of such facilities for providing communications services to customers without a permit. A registrant performing work without a permit shall ensure that there is photographic and video documentation of the work, including depiction of the area of the public rights-of-way impacted, and such photographic and video documentation shall be provided to the City within ten (10) business days, unless otherwise not required by the City. The term EMERGENCY shall mean a condition that affects the public's health, safety or welfare, which includes an unplanned out-of-service condition of a pre-existing service. Registrant shall provide prompt notice to the City of the service restoration work or repair work and, within two (2) business days of commencing the work, and shall apply for a permit if such activity required a permit under this Ordinance within 30 days. Any maintenance of traffic required for service restoration or repair work shall meet the requirements of the latest edition of the FDOT 600 Series Standard Drawings and the Manual on Uniform Traffic Devices.

(2) A registrant shall be allowed to perform routine maintenance within the public rights-of-way without a permit if such proposed routine maintenance does not involve excavation, construction, or disruption to transportation or utilities in the public rights-of-way. In the case of routine maintenance, a registrant shall provide reasonable advance written notice to the City

identifying the areas where such maintenance will occur, scope of maintenance, date(s) and duration of work to be performed. If routine maintenance requires the closure of the public rights-of-way regardless of the duration, a road or sidewalk closure permit consistent with the City's rules and regulations shall be required. As-built plans shall be provided to the City within ten (10) business days. A registrant shall be allowed to perform maintenance, repair, replacement, extension, or upgrade of existing aerial lines or underground communications facilities located on private property outside of the public rights-of-way without first obtaining a permit. All underground work or excavation without a permit shall be photographed and videotaped, and such photograph and videotape documentation shall be provided to the City upon request or, if not requested, within ten (10) business days.

(3) A permit shall not be required for replacement of existing wireless facilities with wireless facilities that are substantially similar or of the same or smaller size. If such replacement will require the closure of a rights-of-way, the registrant shall obtain an appropriate road or sidewalk closure permit consistent with the City's rules and regulations. A registrant shall provide 48 hours' notice to the City prior to such work being done. As-built plans shall be provided to the City within ten (10) business days.

(4) A registrant shall be allowed to place or to maintain a service drop within the public rights-of-way without first obtaining a permit if such proposed work does not involve excavation, construction, or the temporary closure of the public rights-of-way.

(5) A permit shall not be required for the installation, placement, maintenance, or replacement of micro wireless facilities that are suspended on cable strung between existing utility poles in the public rights-of-way, in compliance with applicable codes by or for a communications services provider authorized to occupy the public rights-of-way and who is remitting Communications Services Tax under F.S. ch. 202. Prior to placing a micro wireless facility in the public rights-of-way pursuant to this subsection, the registrant shall submit a notarized letter to the City from or on behalf of the communications services provider, which shall be effective upon filing, attesting that the micro wireless facility's dimensions comply with F.S. § 337.401(7) and this Ordinance. A registrant's submission to demonstrate a micro wireless facility's dimensions may apply to all of the same, substantially similar, or small size micro wireless facilities sought to be placed in the public rights-of-way by such registrant. If the micro wireless facility's dimensions exceed the dimensions to constitute a micro wireless facility, the registrant shall not be authorized to place such facility in the public rights-of-way. As-built plans shall be provided to the City within ten (10) business days.

(6) Notwithstanding the exceptions to permit requirements contained in this subsection, a registrant shall obtain from the City a right-of-way permit for work that involves excavation, closure of a sidewalk regardless how temporary, or closure of a vehicular lane or parking lane regardless how temporary, unless the registrant is a communications services provider that is performing service restoration on an existing facility and the work is done in compliance with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual, including but not

limited to, the requirement to notify Sunshine 811 prior to any excavation or demolition activities in accordance with F.S. ch. 556, and to comply with the City Code. In such instance, to the extent not inconsistent with the 2017 Edition of the Florida Department of Transportation Utility Accommodation Manual, the communications services provider shall provide information acceptable to the City as to the service restoration work and shall provide reasonable advance notice to the City so that the City may have an observer present. The City may require a specific method of excavation and a maintenance of traffic or sidewalk closure plan, as applicable. In addition, the registrant shall file for an after the fact permit within 30 days after completing restoration of the public rights-of-way. A registrant performing work without a permit shall ensure that the work is photographed and videotaped, including of the area of the public rights-of-way impacted, and such photograph and videotape documentation shall be provided to the City upon request or, if not requested, with the after the fact permit application.

(c) The City Manager may cause an immediate stop work order where any permitted or unpermitted construction or other work in the public rights-of-way poses a serious threat to the health, safety or welfare of the public until such serious threat has been abated. Failure to comply with such order may subject a registrant, and its agents, employees, and contractors as applicable to appropriate enforcement remedies as set forth in this Ordinance and applicable law.

Sec. 36-132. - Permit information requirements and review procedures.

(a) Pre-submittal meeting. To minimize issues related to a permit request, prior to submitting materials for a permit request, which does not include an application for a small wireless facility or a new utility pole to support a small wireless facility, a registrant shall conduct a pre-submittal meeting with the City to discuss the registrant's plans and network goals for placing or maintaining facilities in the public rights-of-way. The City shall undertake efforts to accommodate a registrant's request for a pre-submittal meeting either in person or electronic communications within ten (10) business days. At a registrant's request, the City, in its sole discretion, may waive the requirement of a pre-submittal meeting for good cause based on the scope of the proposed permit and registrant's compliance with this Ordinance. In no event shall the requirement of a pre-submission meeting be waived for a permit request that involves excavation of over 50 feet of public rights-of-way. The requirement of a pre-submittal meeting does not apply to applications. However, even if a pre-submittal meeting may not be required under applicable law, registrants are strongly encouraged to engage in a pre-submittal meeting. A pre-submittal meeting, whether required herein or voluntary on the part of a registrant, shall not commence the time frames provided herein for City review and processing of a request or an application.

(b) Requirements for all communications facilities in the public rights-of-way. As part of any permit application or request to place or maintain any facility pursuant to this Ordinance in the public rights-of-way, a registrant or a registrant's agent or contractor shall complete a permit form provided by the City that, at a minimum, includes the following information:

- (1) If the person seeking the permit is not the registrant, a statement of authority by the registrant to act on behalf of the registrant. In addition, if the person seeking the permit is a contractor, the contractor's license or registration and contractor's insurance information confirming the contractor's authority to perform construction in the City and statements as to whether the contractor has any open permits with the City, and if so, the permit identification number or information.
- (2) Confirmation that the registrant or person seeking the permit engaged in a pre-submittal meeting, if required, or such meeting was waived by the City and that the registrant has an effective registration with the City, and is otherwise in compliance with the City Code.
- (3) Engineering plan. An engineering plan signed and sealed by a licensed engineer, that includes the following:
 - (a) Except for applications to collocate small wireless facilities on existing utility poles in the public rights-of-way, an American Land Title Association (ALTA) or other survey pursuant to the City's form demonstrating that the proposed location of the facility or utility pole is within the public rights-of-way, unless waived by the City in its sole discretion, pursuant to an applicant's or requester's attestation that the proposed facility is located within the public rights-of-way;
 - (b) The type of proposed facility, location of the proposed facility, and the dimensions, height, footprint, stealth design, and concealment features of the proposed facility;
 - (c) The Global Positioning System (GPS) coordinates of the proposed facility. The GPS coordinates shall be based on the reading from a handheld mobile GPS unit set to Datum NAD 83 or WGS84. GPS coordinates based on Google Earth or similar application may be used where areas of shading occur due to overhead canopy. GPS Coordinates shall be provided in decimal degrees at a six (6) decimal point precision or as otherwise required by the City;
 - (d) Whether the proposed facility is proposed within a location subject to restrictions pursuant to this Ordinance;
 - (e) For new communications facilities and extensions of existing communications facilities that require a permit, within a fifty (50) foot radius, a sketch showing pavement, sidewalks, driveways, ramps, trees, below-grade utilities, and other above-grade and below-grade structures and facilities located within the public rights-of-way and the distances from the proposed facility and the edge of nearby pavement, sidewalks, driveways, ramps, the nearest residential properties, nearby drainage systems, trees, ground-mounted equipment, nearby structures in the public rights-of-way, underground utilities and other above-grade and below-grade structures and utilities located within the public rights-of-way;

- (f) Sufficient specificity demonstrating compliance with applicable codes, as defined herein and as may be amended;
 - (g) If applicable, the routes of all transmission and distribution lines to be placed or maintained in the public rights-of-way in connection with the proposed facility (such lines may be subject to separate permit requirements);
 - (h) Certification that the proposed facility will not materially interfere with the safe operation of traffic control equipment;
 - (i) Certification that the proposed facility will not interfere with sight lines or clear zones for transportation, pedestrians, or public safety purposes or result in the public rights-of-way being inconsistent with the Florida Greenbook;
 - (j) Certification that the proposed facility will not materially interfere with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement; and
 - (k) Other engineering information that may be requested by the City.
- (4) Trees or landscaping proposed to be removed or impacted upon the placement or maintenance of the proposed facility.
- (5) Photographic or video documentation of the pre-construction condition of the public rights-of-way in the area to be affected by the installation of the proposed facility.
- (6) Description of installation or construction. A description of the method by which the facility will be installed and/or modified (i.e. anticipated construction methods or techniques).
- (7) Temporary sidewalk closure plan. The applicant shall provide a temporary sidewalk closure plan, if appropriate, to accommodate placement or maintenance of the facility.
- (8) Temporary Traffic Control (TTC) plan. The applicant shall provide a temporary traffic lane closure and Temporary Traffic Control (TTC), if appropriate, to accommodate placement or maintenance of the facility.
- (9) Restoration plan and estimated cost of restoration of the public rights-of-way. A restoration plan and a good faith estimate of the cost of restoration of the public rights-of-way by a licensed engineer. Such good faith estimate shall be accepted by the City unless the City determines such estimated costs are not representative of the actual costs of the restoration of the public rights-of-way. Estimates of the cost to restore the public rights-of-way shall include all costs necessary to restore the public rights-of-way to its original condition. Such good faith estimate may include, but shall not be limited to, costs to restore the paving, curbs/gutters, sidewalks, multi-purpose trails, and landscaping. All planted or naturally occurring shrubbery or vegetation, including sod, damaged or destroyed during work in the public rights-of-way shall be

replaced. Tree or landscaping removal shown on the permit shall not be considered damage or impairment to be restored to the original condition provided the applicant or requester complies with the approved mitigation plan, if any.

(10) Timetable for construction or installation. The timetable for construction, placement or maintenance of the proposed facility or each phase thereof.

(11) Indemnification. A statement shall be included with the permit application or request that by execution of the application or request and by filing for the permit, the registrant shall be bound to the City with respect to the indemnification provisions set forth in this Ordinance.

(12) Airport airspace protection. If applicable, certification of compliance with F.S. ch. 333 and all City, State and federal laws and regulations, as amended, pertaining to airport airspace protections.

(13) Attestation. For applications by a wireless infrastructure provider or its contractor for the placement or maintenance of a utility pole in the public rights-of-way for collocation of a small wireless facility, the applicant shall provide an attestation by an authorized representative of the registrant that a small wireless facility will be collocated on the utility pole and will be used by a wireless services provider to provide communication service within nine (9) months after the date the application is approved.

(14) Pole attachment agreement. If applicable for the proposed facility, except for registrants whose pole attachments are regulated by 47 U.S.C. § 224, the registrant shall provide a copy of a fully executed valid pole attachment agreement between the owner of the utility pole and registrant. In lieu of providing the complete pole attachment agreement between the owner of the utility pole and registrant, the registrant may provide the first page of such agreement and the signature page or a notarized letter of authorization from the owner of the utility pole, providing adequate identifying information, acceptable to the City, and indicating the registrant is authorized to install its facility on the identified utility pole. By submitting the City's permit form, the registrant certifies to the City that it has authority from the utility pole owner to collocate its facility.

(15) Information regarding height limitations. For an application for a new utility pole to support the collocation of a small wireless facility, the applicant shall provide information regarding the height and GPS location of the tallest utility pole located in the same public rights-of-way as of July 1, 2017, measured from grade in place within five hundred (500) feet of the proposed location of the utility pole. If there is no utility pole within five hundred (500) feet of the proposed utility pole as of July 1, 2017, the applicant shall so certify.

(16) If the permit request includes a backup power supply, information to demonstrate that the backup power supply and proposed fuel storage satisfies the applicable codes as well as codes and standards of the National Fire Protection Association.

(17) In addition to the requirements herein, as part of any permit application to place or maintain a small wireless facility or utility pole in the public rights-of-way, the applicant shall provide the following:

- (a) Documentation to the satisfaction of the City from a licensed engineer, that the structure and foundation of the utility pole intended to support the collocation of the small wireless facility can support the additional load of the proposed small wireless facility consistent with the requirements of the Florida Building Code;
- (b) Certification and description by the applicant to the satisfaction of the City how the proposed small wireless facility or utility pole complies with the objective design standards set forth in this Ordinance. For a proposed ground-mounted small wireless facility, such information shall include whether the proposed small wireless facility includes a wrap that has been approved by the City or is of an architectural design that is substantially similar to other infrastructure in the area of the public rights-of-way or has been approved by the City.
- (c) Accurate photo simulations of the proposed utility pole or small wireless facility and if applicable, as collocated on the utility pole.

(18) Applicable permit fees including reimbursement for City consultants, to the extent not inconsistent with applicable law. The City acknowledges that currently, applicable law does not allow the City to charge permit fees.

(19) Consolidated permit application and single application or request for multiple locations. A registrant may submit a single application or request to place or to maintain multiple facilities in the public rights-of-way, where it would be more efficient for the registrant and the City to address multiple facilities in one permit. An applicant seeking to collocate multiple small wireless facilities may file a consolidated permit application and receive a single permit for the collocation of up to 30 small wireless facilities. The application must include the information required for an application for each of the proposed small wireless facilities. In addition, prior to applying for a consolidated permit, the applicant is strongly encouraged to engage in a pre-submittal meeting with the City to discuss all proposed small wireless facilities. If the application includes multiple small wireless facilities, the City may separately address small wireless facility collocations for which incomplete information has been received or which are denied. Each proposed utility pole to be placed in the public rights-of-way for the collocation of a small wireless facility shall require a separate application, and each communications facility to be placed in the public rights-of-way except for the collocation of a small wireless facility, shall require a separate request unless the City consents at a pre-submission meeting to a single application or request for such multiple facilities.

(20) To the extent not inconsistent with applicable law, such additional information requested by the City reasonably necessary for the permit application or request.

(c) Application Review and Procedures for Small Wireless Facilities and Utility Poles for Collocation of Small Wireless Facilities.

(1) Time periods within this subsection shall be extended for the period of time impacted by a force majeure event or by a declared State of Emergency by the City, Martin County, or Governor that impacts the City ("force majeure extension). If a registrant opposes a force majeure extension pursuant to this subsection, it shall notify the City within 24 hours of such extension becoming effective or the registrant shall be deemed to have consented to the extension. Except as otherwise provided herein, requests for permits for the placement of communications facilities in the public rights-of-way, including but not limited to backhaul facilities, shall be subject to the time frames and review procedures set forth in this subsection; requests shall be considered to be applications; and requesters shall be considered to be applicants for purposes of time frames as referenced in this subsection. The time frames and procedures herein shall not apply to other requests that do not involve the placement of communications facilities in the public rights-of-way, including but not limited to, request for permits to perform maintenance on existing communications facilities in the public rights-of-way.

(a) Unless extended by mutual consent of the applicant and City, within 14 days after receiving an application, the City Manager will notify the applicant by electronic mail as to whether the application is complete. If an application is deemed incomplete, the City will specifically identify the missing information. An application is deemed complete if the City fails to provide notification to the applicant within 14 days.

(b) Negotiation Process.

(1) Unless extended by mutual consent of the applicant and the City, within 14 days after the date of filing the application, the City may request that the proposed location of a small wireless facility be moved to another location in the right-of-way and placed on an alternative City utility pole or support structure or may place a new utility pole. The City and the applicant may negotiate the alternative location, including any objective design standards and reasonable spacing requirements for ground-based equipment, for 30 days after the date of the request.

(2) At the conclusion of the negotiation period, if the alternative location is accepted by the applicant, the applicant must notify the City of such acceptance and the application shall be deemed granted for any new location for which there is agreement and all other locations in the application.

(3) If an agreement is not reached, the applicant must notify the City of such nonagreement and the City must grant or deny the original application within 90 days after the date the application was filed unless extended by mutual consent of the applicant and City. Failure of the applicant to so notify the City as required herein shall be deemed to constitute the applicant's consent to the City's

alternative location. A request for an alternative location, an acceptance of an alternative location, or a rejection of an alternative location must be in writing and provided by electronic mail.

(c) The City processes all applications on a nondiscriminatory basis. Unless the City and the applicant engage in negotiations as provided above, the City will approve or deny the application and will notify the applicant by electronic mail whether the application is approved or denied within 60 days after the receipt of a completed application.

(d) Extension of time. If the City and the applicant do not engage in negotiations, the applicant and City may mutually agree to extend the 60-day application review period. The City shall grant or deny the application at the end of the extended period.

(e) Basis to Deny Applications. The City may deny an application for a proposed collocation of a small wireless facility or to place a utility pole used to support a small wireless facility in the public rights-of-way if the proposed small wireless facility or utility pole to support a small wireless facility:

- (1) Materially interferes with the safe operation of traffic control equipment;
- (2) Materially interferes with sight lines or clear zones for transportation, pedestrians, or public safety purposes;
- (3) Materially interferes with compliance with the Americans with Disabilities Act or similar federal or state standards regarding pedestrian access or movement;
- (4) Materially fails to comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual;
- (5) Fails to comply with applicable codes;
- (6) Fails to comply with objective design standards set forth in this Ordinance; or
- (7) Fails to comply with the City Code, to the extent not inconsistent with applicable law.

(f) Cure Procedure.

- (1) If the application or request is denied, the City will specify the basis for the denial, including the specific code provisions on which the denial was based, on the day the City denies the application or request.

(2) The registrant may cure the deficiencies identified by the City and resubmit the application or request within 30 days after the notice of denial is sent.

(3) If an attempt to cure is submitted by the registrant within such 30-day period, the City will approve or deny the revised application or request within 30 days after receipt of the revised application. If the registrant revises any information in the application or request other than to address expressly the deficiencies identified by the City, the registrant shall submit a new application or request and the denial of the pending application or request shall be final.

(4) The City's second and subsequent reviews of revised applications or requests will be limited to the deficiencies cited in the denial notice.

(g) A permit issued pursuant to an approved application or request to install a new communications facility shall remain in effect for one (1) year unless otherwise extended, suspended, or revoked by the City pursuant to this Ordinance. If a communications facility including a small wireless facility or utility pole is going to be installed without a permit pursuant to this Ordinance or applicable state or federal law, the applicant or requester shall nevertheless be required to have an effective registration, comply with development standards and provide the bonds required in this Ordinance prior to performing construction.

(h) A permit from the City constitutes authorization to undertake only certain activities in the public rights-of-way in accordance with this Ordinance, and does not create a property right or grant authority to impinge upon the rights of others who may have an interest in the public rights-of-way.

(2) Review Procedures and Basis to Deny Requests.

(a) Time frames. The City shall review and process other requests that are not for the placement of communications facilities, including but not limited to, requests for a permit to perform maintenance or to remove facilities, consistent with time frames required under applicable law and the City's standard procedures.

(b) Basis to deny. Except for applications for permits to collocate small wireless facilities or for utility poles to support the collocation of a small wireless facility addressed above, the City may deny a request for a permit to place or to maintain communications facilities in the public rights-of-way, including but not limited to, a permit to place backhaul facilities, consistent with applicable law and the City's standard procedures.

(c) Review procedures for wireless facilities modifications pursuant to the Spectrum Act. A registrant may file an eligible facilities request to modify an existing tower or base

station in the public rights-of-way, that does not substantially change the physical dimensions of such tower or base station, pursuant to Section 6409(a) of the Spectrum Act of 2012, 47 U.S.C. § 1455(a), and FCC regulations adopted thereto, 47 C.F.R. § 1.6100, as amended. Such request shall include the following: (1) confirmation that the registrant possesses an effective registration and submitted a permanent performance bond with the City; (2) a statement that it is an eligible facilities request, (3) a report, signed and sealed by a licensed engineer, that addresses the factors set forth in the FCC regulations, including a description of proposed modifications and the factors regarding whether the proposed modifications constitute a substantial change, and (4) a certified copy of the permit for the existing tower or base station that is proposed to be modified. The City shall review such request pursuant to the procedures set forth in the FCC regulations, notwithstanding other provisions of this Ordinance. The procedures in this Ordinance for appeal shall apply.

(3) Suspension and Revocation of Permits.

(a) The City may order the suspension of placement and maintenance work under a permit and ultimately may suspend or revoke any permit, in the event of a material breach of the terms and conditions of any applicable codes, this Ordinance, State and federal laws and regulations, or any condition of the permit. A material breach by the permittee may include, but is not limited to:

- (1) The violation of any material provision of the permit or applicable codes;
- (2) An evasion or attempt to evade any material provision of the permit or the perpetration or attempt to perpetrate any fraud or deceit upon the City;
- (3) Any material misrepresentation of fact in the process of permittee's request or application for a permit or registration;
- (4) The failure to maintain the required performance cash bond or insurance;
- (5) The failure to properly restore the public rights-of-way;
- (6) The failure to comply within the specified time with an order issued by the City;
- (7) The failure to register, renew a registration, or provide notice of transfer in accordance with this Ordinance;
- (8) The failure to relocate or remove facilities pursuant to this Ordinance and F.S. §§ 337.402, 337.403 and 337.404, as amended;
- (9) Conducting work in the public rights-of-way without a permit, if required.

(b) If the City determines that a registrant has committed a substantial breach of a term or condition of the permit or violation of applicable codes or this Ordinance, the City shall make a written demand upon the registrant to remedy such violation. The demand shall state that the continued violation(s) may be cause for suspension or revocation of the permit. Further, the City may place additional or revised permit conditions on the permit following a substantial breach. In addition, the City may refuse to issue new permits and may deny an application or request for a new permit to a registrant or registrant's contractor that has materially violated any provisions of a permit or applicable codes or this Ordinance, until such time as the registrant cures the violation to the satisfaction of the City, including paying any damages, costs or penalties that may have been assessed.

(c) Within thirty (30) days of receiving notification of the breach, the permittee shall contact the City and provide a plan, acceptable to the City. The City shall provide additional time as reasonably necessary for a permittee to establish an acceptable plan taking into account the nature and scope of the alleged breach. The permittee's failure to so contact the City, or the permittee's failure to submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan, shall be cause for revocation or suspension of the permit. A final determination to suspend or to revoke a permit may be appealed in accordance with the procedures set forth in this Ordinance. Nothing herein shall affect the City's ability to take immediate action or to cause a registrant to take immediate action pursuant to this Ordinance or applicable law to address any condition that threatens the health, safety or welfare of persons or property.

(d) If a permit is revoked, the permittee shall reimburse the City for the City's reasonable costs, including restoration costs, administrative costs, and the cost of collection. These costs may also be deducted from the registrant's permanent performance cash bond in the City's discretion.

(e) The City Manager may cause an immediate stop work order where the construction poses a serious threat to the health, safety or welfare of the public until such time as such serious threat has been abated.

(4) Requests for Waivers.

(a) Nothing in this Ordinance shall be construed to prohibit or have the effect of prohibiting the nondiscriminatory and competitively neutral use of public rights-of-way by communications service providers, communications facility providers or pass-through providers, in violation of federal or state law.

(b) A waiver may be granted by the City Manager in those circumstances where a competitively neutral use of the public rights-of-way is impaired by strict application of the requirements of this Ordinance, in violation of applicable law.

(c) A request for a waiver shall be filed either prior to or contemporaneously with the permit application. The request for waiver shall contain each provision for which a waiver is sought. A request for a waiver shall include the following information:

- (1) A detailed explanation, with supporting engineering information by a Florida licensed engineer or other data, as to why a waiver from the requirements of this Ordinance is required to allow the applicant to have nondiscriminatory and competitively neutral use of the public rights-of-way, including a detailed explanation addressing the relevant engineering criteria;
- (2) Nature and characteristics of the surrounding neighborhood;
- (3) Any special conditions and circumstances affecting the proposed site which prevent compliance with the Ordinance or subsection for which a waiver is being sought;
- (4) If applicable, topography, tree coverage and foliage in the immediate surrounding area of the proposed facility or within the surrounding neighborhood;
- (5) Design of the proposed facility with particular reference to achieving compatibility with the surrounding neighborhood and other structures in the public rights-of-way and eliminating adverse visual impacts;
- (6) If the proposed waiver is compliant with the Americans With Disabilities Act, 42 U.S.C. § 12101, et seq., and applicable codes;
- (7) A request for waiver of the objective design standards contained herein shall include a showing that the design standards are not reasonably compatible for the particular location of a small wireless facility or utility pole, or are technically infeasible with supporting information from a licensed engineer, or that the design standards impose an excessive expense on the registrant with information as to the additional costs of compliance with the standards and the registrant's anticipated revenue from the proposed facility or assets. The City shall grant or deny a request for a waiver of objective design standards within forty-five (45) days after receiving the request for waiver unless the applicant and City consent to an extension, subject to a force majeure event.
- (8) Any other information the City may reasonably require to process the request for waiver.

(d) Except for a request for a waiver of objective design standards, the City shall grant or deny a request for a waiver of any other provisions of the City Code pursuant to its standard procedures for requests for waivers or variance of its Code, consistent with applicable law. If a request for waiver or variance is not processed by the City within the time frame for granting or denying an application or

request for a permit, the City shall deny the permit application or request unless the City and the registrant consent to an applicable extension. In granting any waiver, the City may impose conditions to the extent the City determines such conditions are necessary to minimize any adverse effects of the proposed facility on the surrounding neighborhood or to protect the health, safety and welfare of the public.

(e) Should a request for waiver, and ultimately a permit, be denied by the City, the denial of the waiver may be appealed with an appeal of the permit denial in accordance with this Ordinance.

(5) Appeals.

(a) Final, written decisions of a designee of the City Manager, including but not limited to, a decision suspending, revoking, or denying a permit, denying a registration, denying a renewal of a registration, suspending or terminating a registration or denying a request for a waiver, or imposing costs or a fine, are subject to appeal to the City Manager. An appeal must be filed with the City Manager within thirty (30) days of the date of the final, written decision to be appealed. An appeal that is not timely filed as set forth herein shall be waived. The City Manager shall hear or may appoint a hearing officer to consider the appeal. The decision on appeal shall be based on the information submitted previously to the City and no new information shall be considered. Subject to a force majeure event, the hearing shall occur within 30 days of the receipt of the appeal, unless waived by the applicant, and a written decision shall be rendered within 20 days of the hearing.

(b) An appeal from a decision of the City Manager or a hearing officer may be appealed to the City Commission within 30 days, by filing a written notice of appeal with the City Clerk and providing copies to the City Manager and the City Attorney. Any appeal not timely filed shall be waived. The notice of appeal shall state the decision which is being appealed, the grounds for appeal, a brief summary of the relief which is sought, and shall be accompanied by a nonrefundable fee to be established by administrative order of the City Manager. The City Commission may affirm, modify or reverse the decision of the City Manager. The City Manager shall notify any party who has filed a written request for such notification of the date when the matter will be presented to the City commission. Nothing contained herein shall preclude the City Commission from seeking additional information prior to rendering a final decision. The decision of the City Commission shall be by resolution and a copy of the decision shall be forwarded to the City Manager and the appealing party. Within the time prescribed by the appropriate Florida Rules of Appellate Procedure, a party aggrieved by a decision of the City Commission may appeal an adverse decision to the Circuit Court In And For Martin County or applicable federal district court. The party making the appeal shall be required to pay to the City Clerk a fee to be established by administrative order of the City Manager, to defray the costs of preparing the record on appeal. Said fee shall be effective upon approval by the Commission. To the extent required by applicable law, the City shall waive any claim or defense based on failure to exhaust administrative remedies if the City's administrative review is not complete within 45 days after a person files a complete request for review.

Sec. 36-133. - Suspension of permits.

- (a) The city may suspend a permit for work in the public rights-of-way for one (1) or more of the following reasons, subject to section 36-144 of this article:
 - (1) Violation of permit conditions, including conditions set forth in the permit, this article, or other applicable city ordinances, codes, or regulations governing placement or maintenance of communications facilities in public rights-of-way;
 - (2) Misrepresentation or fraud by registrant in a registration or permit application to the city;
 - (3) Failure to properly renew or ineffectiveness of the registration; or
 - (4) Failure to relocate or remove facilities as may be lawfully required by the city.
- (b) The building official shall provide notice and an opportunity to cure any violation of subsections (1) through (4) above, each of which shall be reasonable under the circumstances.

Sec. 36-144. – Performance construction bond and permanent performance bond.

- (a) Prior to the issuance of any permit in accordance with this Ordinance, or performing any work in the public rights-of-way, either pursuant to a permit or without a permit if authorized by applicable law except in the case of an emergency pursuant to this Ordinance, a registrant or contractor that applies for a permit on behalf of a registrant shall deposit with the City a performance construction bond acceptable to the City to secure the restoration of the public rights-of-way, and to ensure the registrant's or contractor's faithful performance of the construction or other work in the public rights-of-way, in accordance with applicable sections of the Code. The performance construction bond shall be conditioned upon the full and faithful compliance by the registrant or contractor with all requirements, duties, and obligations imposed by the permit and provisions of this Ordinance during and through completion of the placement or maintenance project. The performance construction bond shall be in an amount as determined by the City based on one-hundred ten percent (110%) of the estimated costs of the restoration of the public rights-of-way submitted by the registrant. For a consolidated permit, the registrant or contractor shall provide a performance construction bond based on the amount of the total costs of the restoration of the public rights-of-way for all small wireless facilities to be collocated on utility poles within the public rights-of-way, but in no event, shall be less than ten thousand dollars (\$10,000.00). Notwithstanding any provision herein, the minimum amount of the performance construction bond for a new or replaced utility pole or small wireless facility over six (6) cubic feet shall be twenty-five thousand dollars (\$25,000.00). The City shall not require a performance construction bond if the estimated cost of restoration of the public rights-of-way is less than one thousand dollars (\$1,000.00).
- (b) In the event a registrant or contractor subject to such a performance construction bond fails to complete the work in a safe, timely and competent manner in accordance with the provisions of the permit or code, there shall be recoverable, from such construction bond, any damages or loss suffered by the City as a result, including the full amount of any compensation, indemnification or cost of removal or

abandonment of any property of the registrant, or the cost of completing the work, plus a reasonable allowance for attorney's fees, up to the full amount of the bond.

(c) The performance construction bond shall be non-cancelable and shall be for a term of not less than one (1) year but not more than 18 months after the anticipated date of the later of completion of construction, restoration and City inspection. No less than one-year after completion of the construction and satisfaction of all obligations in accordance with the bond, the registrant or contractor may request that the City remove the requirement to continue the performance construction bond. In accordance with the current standards of the City, and satisfaction of all obligations in accordance with the bond, the City shall return the performance construction bond without interest. Notwithstanding, the City shall require a new performance construction bond for any subsequent work performed in the public rights-of-way as required by this Ordinance. Notwithstanding this provision, to the extent required by applicable law, the City shall accept a letter of credit or similar financial instrument as a construction bond issued by any financial institution that is authorized to do business within the United States, provided that a claim against the financial instrument may be made by electronic means, including by facsimile. A provider of communications services may add the City to any existing bond, or other relevant financial instrument, and the City shall accept such proof of coverage without any conditions other than consent to venue in Martin County for purposes of any litigation to which the City is a party.

(d) Permanent Performance Bond.

(1) The City is concerned that, based on past experience in the City and throughout the State, the placement and maintenance of communications facilities in the public rights-of-way has the potential to cause significant damage to the public rights-of-way and to utilities within the public rights-of-way, creating disruption to the City residents, businesses and the travelling public. In addition, the City is concerned that it will not be able to obtain adequate security to address damage to public rights-of-way or to utilities, because of restrictions on construction bonds, placement and maintenance of facilities lawfully or unlawfully without permits, inaccurate locates, permits issued by other government entities within the City that could impact City utilities, and other issues associated with such facilities in the public rights-of-way. Accordingly, pursuant to the City's authority and obligation to manage the public rights-of-way and to provide for the public safety in the exercise of its police power, and to the extent not inconsistent with applicable law, the City shall require all persons that place or maintain communications facilities in the public rights-of-way to establish a permanent performance bond in the City's favor.

(2) A Registrant or Facility Owner who places or maintains communications facilities in the public rights-of-way, shall file with the City, for City approval, a permanent performance bond in the amount of twenty-five thousand dollars (\$25,000.00), in the form of a cash deposit or irrevocable letter of credit. Any cash deposit shall be held in a separate account or City account. The letter of credit shall be issued by a United States financial institution that allows drawing on the letter of credit via electronic means including facsimile, agrees to the jurisdiction of the appropriate court within Martin County, and shall be in a form and issued by a financial institution acceptable to the City Attorney. The permanent performance bond shall be

conditioned on the full and faithful performance by the Registrant or Facility Owner of all requirements, duties, and obligations imposed by the provisions of this Ordinance and applicable law, including but not limited to requirements to restore the public rights-of-way and to guarantee such restoration, to remove any abandoned communications facilities, to indemnify the City as required herein, and to pay for any damage to City or other facilities in the public rights-of-way. The permanent performance bond shall not constitute a fee, tax or other imposition on a dealer of communications services in its capacity as a dealer of communications services or compensation for use of the public rights-of-way and shall not be used by the County as such. Should the City draw upon the permanent performance bond, the City shall promptly notify the registrant, and the registrant shall promptly restore the cash deposit and/or letter of credit, as may be necessary, to the full amount. In the event a registrant fails to perform its duties and obligations imposed by the provisions of this Ordinance, subject to providing prior notice and a reasonable opportunity to cure the failure, there shall be recoverable, jointly and severally from the principal and surety of the permanent performance bond, including a letter of credit, any damages or loss suffered by the City as a result, including the full amount of any damages, indemnification or cost of removal or abandonment of any property of the registrant, plus a reasonable allowance for attorneys' fees. The cash deposit or letter of credit shall be furnished annually or as frequently as necessary to provide a continuing guarantee of the person's full and faithful performance at all times. A registrant may change the form of the permanent performance bond on file with the City on an annual basis. A registrant may request that the City return the permanent performance bond or approve the cancellation of the performance bond upon the expiration of a registrant's obligations pursuant to the City Code and in no event while a registrant maintains any obligations with respect to facilities in the public rights-of-way. If the City determines it is appropriate to return the permanent performance bond, a cash deposit retained by the City shall be returned without interest.

(3) For new registrants seeking to place or to maintain communications facilities in the public rights-of-way, the permanent performance bond required herein must be filed with the City prior to any construction associated with the placement or maintenance of a communications facility in the public rights-of-way. For existing registrants, permanent performance bonds currently on file with the City, either in the form of a cash deposit or letter of credit, shall satisfy the requirement of this subsection and shall continue to be maintained by the City. To the extent that a communications services provider, wireless provider, or pass-through provider with facilities in the public rights-of-way, does not have a permanent performance bond filed with the City as required herein, said person shall submit the permanent performance bond as provided herein, within ninety (90) calendar days from the effective date of this Ordinance. No permits shall be issued to a person for placement or maintenance of facilities within the public rights-of-way without a permanent performance bond filed with the City. For activity that does not require a permit, no placement or maintenance of a communications facility in the public rights-of-way shall be performed by or on behalf of a registrant that does not have a permanent performance bond on file with the City. In addition to other remedies provided herein, including but not

limited to, revoking a registration, denying or withholding permits, or issuing a stop work order, the City may pursue code enforcement actions against any person who violates this subsection.

(4) Any person who seeks a waiver of the requirement of a permanent performance bond or seeks to pursue a challenge to such requirement shall submit an appeal to the City Manager setting forth the basis for such person's position, pursuant to the procedures set forth in this Ordinance. The City Manager shall render a decision which the person may appeal to the City Commission, pursuant to the procedures set forth in this Ordinance.

(e) The rights reserved by the City with respect to any performance construction bond or permanent performance bond established pursuant to this division are in addition to all other rights and remedies the City may have under this Ordinance, or at law or equity, and no action, proceeding or exercise of a right with respect to the performance construction bond or permanent performance bond will affect any other right the City may have.

Sec. 36-145. – Construction methods for placing or maintain communications facilities in public rights-of-way.

(a) A registrant shall place and maintain its communications facility in public rights-of-way in a manner consistent with accepted industry practice and applicable codes and must comply with the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual. For purpose of complying with the notice and approval requirements contained within the 2017 edition of the Florida Department of Transportation Utility Accommodation Manual, the registrant shall provide notice and seek approval from the City Manager. All safety practices required by applicable codes or accepted industry practices and standards shall be used during the placement or maintenance of communications facilities, including but not limited to, Chapter 33 of the Florida Building Code. Registrant shall use and exercise due caution, care and skill in performing work in the public rights-of-way, and shall take all reasonable steps to safeguard work site areas including maintenance of traffic.

(b) In connection with excavation in the public rights-of-way, the requirements of this Ordinance shall control to the extent of any conflict with inconsistent provision of the City Code.

(c) In addition, in connection with excavation in the public rights-of-way, a registrant shall, where applicable, comply with the Underground Facility Damage Prevention and Safety Act set forth in F.S. ch. 556, as it may be amended. In the event of any conflicts with existing utilities or utility service laterals, the proposed location of the communications facility will be adjusted, not the utility.

(d) To the extent not inconsistent with applicable codes, underground cables, where required, shall have consistent alignment parallel with the edge of pavement, a thirty-six-inch (36") depth of cover for the paved portion of roadways, sidewalks and driveway aprons a twenty-four-inch (24") to thirty-inch (30") depth of cover in all areas except the paved portion of roadways, sidewalks and driveway aprons, and shall have a three-foot (3') horizontal clearance from underground utilities and their appurtenances.

Below grade communication facility shall not be allowed under a swale or ditch unless such restriction is waived by the Public Works Operation Manager or City Manager with appropriate conditions of a permit that the registrant or permittee clean or re-excavate the swale or ditch to its appropriate grade prior to installation of the facility.

(e) Grounding rods and pull boxes. The grounding rod may not extend above the top of the public right-of-way or sidewalk and must be placed in a pull box, and the ground wire between the pole and ground rod must be inside an underground conduit. All pull boxes shall be vehicle load bearing, comply with applicable codes and FDOT Standard specification 635 and be listed on the FDOT Approved Products List. A concrete pad shall be installed around all pull boxes not located in the sidewalk. No new or replacement pull boxes shall be located in pedestrian ramps.

(f) Consistent with applicable codes and City regulations, the City may require the use of trenchless technology (i.e., directional bore method) or may prohibit underground missile boring for the installation of facilities underground in the public rights-of-way. The registrant shall be solely liable for the displacement, damage or destruction of any property, public rights-of-way, irrigation system, utility, or landscaping as a result of the placement or maintenance of its facility within the public rights-of-way. The City may issue such rules and regulations concerning the method for placement or maintenance of a communications facility in public rights-of-way as may be consistent with this Ordinance and other applicable codes and standards. The provisions of this subsection are not intended to prevent the use of any method of construction not specifically prescribed by this subsection, provided that any such method has been approved by the City.

(g) In an effort to minimize adverse impacts and disruption in the public rights-of-way and to other municipal improvements, the City may require a communications services provider to coordinate the placement or maintenance of its facilities with any work, construction, installation in or repairs of the subject public rights-of-way or other facilities therein, that is occurring or is scheduled to occur within a reasonable time from the date(s) requested in the communications services provider's permit application. The City may require a registrant to alter reasonably its placement or maintenance schedule as necessary to minimize disruptions and disturbance in the public rights-of-way. The City may provide a more definite time frame based on specific City construction or maintenance schedules. Within the public rights-of-way, every communications services provider shall make space available in its trench and/or conduit to other communications services providers to the extent consistent with the federal requirements of 47 U.S.C. § 224. Every communications services provider shall utilize existing conduits, pathways and other facilities whenever possible, and shall not place or maintain any new, different, or additional poles, conduits, pathways or other facilities, whether in the public rights-of-way or on privately-owned property, until written approval is obtained from the City or other appropriate governmental authority, and, where applicable, from the private property owner.

(h) Limits on excavation in restored rights-of-way. To avoid continual disruption and degradation to the public rights-of-way and in the interest of public safety, an area of the public rights-of-way that has been subject to excavation and restored shall not be subject to re-excavation until at least two (2) years following the completion of such restoration, to the extent not inconsistent with applicable codes and

law, unless waived by the City. If the areas where the excavation is to occur has not been fully restored by a permittee, the subsequent permittee may apply for and the City may issue a permit that requires the subsequent permittee to restore the public rights-of-way to the original condition and to warrant such restoration consistent with this Ordinance. Registrants seeking to place communications facilities in the public rights-of-way through excavation are strongly encouraged to contact other registrants and communications services providers to coordinate the placement of communications facilities in the public rights-of-way.

(i) Trees. A registrant shall comply with the requirements of the City's Land Development Regulations with respect to the proposed removal or disturbance of any trees on private property. A registrant shall not prune, remove or materially disturb trees during placement or maintenance of communications facilities, small wireless facilities, micro wireless facility, or utility poles in the public rights-of-way, unless approved pursuant to an applicable permit issued by the City, to the extent not inconsistent with applicable law. Tree removal or pruning is not permitted within the public rights-of-way to increase signal strength or to provide a line-of-sight for wireless facilities. Landscaping may only be disturbed or removed during placement or maintenance of communications facilities pursuant to a permit issued by the City. The City may require that any landscaping or trees so removed shall be replaced or mitigated in accordance with the approved restoration plan.

(j) Restoration of public rights-of-way. A registrant shall, at its own expense, restore the public rights-of-way to at least its original condition before such work in public rights-of-way was initiated, subject to the City's satisfaction upon inspection. Registrant shall warrant its restoration for a period of twelve (12) months after completion of such restoration. If the registrant fails to make such restoration within seven (7) calendar days after completion of construction, or such other time as may be required by the City, the City may, after written notice to the registrant, perform such restoration using City employees, agents or contractors, and charge all costs of the restoration to the registrant in accordance with F.S. § 337.402, as it may be amended, and require reimbursement within 30 days after the submission of the invoice by the City to the registrant. Consistent with the City Code, if the registrant fails to complete restoration work by the estimated date for completion listed in the permit, following notice to the registrant or permittee, the City shall have the right to restore the right-of-way and to charge the registrant or permittee for actual costs of such restoration work plus 25 percent of such costs for administrative expenses, to the extent not inconsistent with F.S. § 337.402, as it may be amended. The costs and administrative expenses shall not be eligible for credit against any other payments that may be owed by the registrant to the City. Consistent with the City Code, the City Manager shall make inspections to administer and enforce the provisions of this subsection. The registrant or permittee shall notify the City Manager 48 hours prior to commencing construction and at the time of completion of work under the permit. Upon completion, the City Manager shall inspect the work to determine whether the restoration has been acceptably completed. In such event, the City shall notify the applicant in writing that the 12-month restoration warranty period has begun.

(k) A registrant shall immediately notify the City of any damage to City utilities, City fiber or other City facilities as a result of a registrant's construction in the public rights-of-way. The registrant shall repair such damage at its expense within the time frame required by the City given the nature of the

damage and impact on City services. In its discretion, the City may repair or arrange for the repair of such damage and charge such expense to the registrant.

(l) Any communications facilities heretofore or hereafter placed upon, under, over, or along any public rights-of-way that is found by the City to be unreasonably interfering in any way with the convenient, safe or continuous use or the maintenance, improvement, extension or expansion of such public rights-of-way shall, upon thirty (30) days' written notice to the registrant or its agent, be removed or relocated by such registrant at its own expense except as explicitly provided under F.S. § 337.403. The City may waive or extend the time within which a registrant shall remove or relocate a communications facility for good cause shown.

(m) Removal or relocation at the direction of the City of a registrant's communications facility in public rights-of-way shall be governed by the provisions of F.S. §§ 337.403 and 337.404, as they may be amended. Subject to F.S. § 337.403, whenever an order of the City requires such removal or change in the location of any communications facility from the public rights-of-way, and the facility owner fails to remove or charge the same at its own expense to conform to the order within the time stated in the notice, the City may proceed to cause the communications facility to be removed. The expense thereby incurred except as provided in F.S. § 337.403(1)(a)—(c), shall be paid out of any money available therefor, and such expense shall be charged against the registrant of the communications facility and levied, collected and paid to the City.

(n) Subject to F.S. § 337.403, whenever it shall be necessary for the City to remove or relocate any communications facility, the registrant of the communications facility shall be given notice of such removal or relocation and an order requiring the payment of the costs thereof, and shall be given reasonable time, which shall not be less than twenty (20) nor more than thirty (30) days in which to appear before the City Commission to contest the reasonableness of the order. Should the registrant not appear, the determination of the cost to the registrant shall be final, in accordance with F.S. § 337.404.

(o) A final order of the City shall constitute a lien on any property of the registrant and may be enforced by filing an authenticated copy of the order in the office of the clerk of the circuit court of the county wherein the registrant's property is located and/or by drawing upon the registrant's bond.

(p) The City retains the right and privilege to cut or move any communications facilities located within the public rights-of-way of the City, as the City may determine to be necessary, appropriate or useful in response to any public health or safety emergency. If circumstances permit, the City shall attempt to notify the registrant of the communications facility, if known, prior to cutting or removing a communications facility and shall notify the registrant of the communications facility, if known, after cutting or removing a facility.

(q) The City shall have the right to make such inspections of facilities placed or maintained in public rights-of-way as it finds necessary to ensure compliance with this Ordinance. The City shall have access without charge to any manholes or hand holes at any time, of a communications services provider in which the City has facilities, provided the City has given such provider reasonable prior notice so that such provider can have trained personnel present when the accesses such manholes. Notwithstanding the

foregoing, the City, in the proper exercise of its municipal police powers and duties with respect to the public rights-of-way, shall have access to all manholes and hand holes without charge of such provider. In the event the City determines that a violation exists with respect to registrant's placement or maintenance of facilities in the public rights-of-way that is not considered to be an emergency or danger to the public health, safety or welfare, the City will provide registrant no less than three days written notice setting forth the violation and requesting correction.

(r) Following the completion of construction to place a new or replace an existing communications facility in the public rights-of-way, the registrant shall promptly provide revised plans and "as-builts" upon completion of any installation or construction. The plans shall be in a digitized PDF and CAD (Computer Aided Design) file formats, showing the two-dimensional location of the facilities, based on the City's geographical database or other format acceptable to the City. The registrant shall provide such plans at no cost to the City. The City shall maintain the confidentiality of such plans and any other information provided in accordance with F.S. § 202.195, as it may be amended.

(s) The City reserves the right to place and maintain, and permit to be placed or maintained, sewer, gas, water, electric, storm drainage, communications, and other facilities, fiber, cables or conduit, and to do, and to permit to be done, any underground and overhead installation or improvement that may be deemed necessary or proper by the City in public rights-of-way occupied by the registrant. To the extent not inconsistent with applicable law, a registrant shall allow City facilities to be collocated within City's public rights-of-way through the use of a joint trench during registrant's construction project. Such joint trench projects shall be negotiated in good faith by separate agreement between registrant and City and may be subjected to other City rights-of-way requirements. The City further reserves without limitation the right to alter, change, or cause to be changed, the grading, installation, relocation or width of the public rights-of-way within the limits of the City and within said limits as same may from time to time be altered.

(t) A registrant shall, on the request of any person holding a permit issued by the City, temporarily raise or lower its communications facilities to permit the work authorized by the permit. The expense of such temporary raising or lowering of facilities shall be paid by the person requesting the same, and the registrant shall have the authority to require such payment in advance. The registrant shall be given not less than 30-days advance written notice to arrange for such temporary relocation. If the City requests a temporary raising or lowering of a facility for a public purpose, the City shall not be charged for the temporary raising or lowering of the facility.

(u) This Ordinance does not authorize a person to collocate or attach wireless facilities, including any antenna, micro wireless facility, or small wireless facility, on a privately owned utility pole, a utility pole owned by an electric cooperative or a municipal electric utility, a privately owned wireless support structure, or other private property without the consent of the property owner.

(v) Abandonment. Upon determination by a registrant or communications services provider that one or more of its communications facilities in the public rights-of-way is to be abandoned, the provider shall notify the City no later than ninety (90) days from such determination, or no later than thirty (30) days

following such abandonment, whichever is sooner. The City may independently establish that a communications facility has been abandoned. In reaching such determination, the City may request documentation and/or affidavits from the communications services provider or registrant regarding the active use of the facility. If the provider or registrant fails to provide the requested documentation within thirty (30) days, a rebuttable presumption shall exist that the provider or registrant has abandoned the communications facility. Any small wireless facility, micro wireless facility, utility pole for collocation of a small wireless facility, or other communications facility installed within the public rights-of-way that is abandoned shall be removed by the registrant or communications services provider at its expense within thirty (30) days of receipt of notice from the City. Failure to remove an abandoned facility within the thirty (30) days' period shall be deemed to be the registrant's or communications provider's consent for the City to remove the facility at the registrant's or provider's expense or for the City to allow another person to remove the facility at the registrant's or provider's expense. The communications services provider or registrant shall be responsible for all damage to the public rights-of-way and any facilities or utilities damaged as a result of such removal, and shall restore the public rights-of-way as required in this subsection.

(w) If there are two (2) or more users of a single facility, then this provision shall not become effective until all users cease using the facility. Notwithstanding the foregoing, if the facility is attached to an existing structure that has an independent function such as a light pole, intersection signal, pedestrian signal, utility pole or the like, said abandonment of the facility requires removal of the facility only and does not require the removal of the existing structure.

Sec. 36-146. - Existing communications facilities in public rights-of-way.

A communications services provider with an existing communications facility in the public rights-of-way of the city has sixty (60) days from the effective date of this article to provide registration pursuant to this article or be in violation thereof.

Sec. 36-147. - Insurance.

- (a) A registrant shall provide, pay for, and maintain satisfactory to the city the types of insurance described herein. All insurance shall be from responsible companies duly authorized to do business in the State of Florida and having a rating reasonably acceptable to the city. All liability policies shall provide that the city is an additional insured as to the activities under this article. The required coverages must be evidenced by properly executed certificates of insurance forms. The certificates must be signed by the authorized representative of the insurance company and shall be filed and maintained with the city annually. Thirty (30) days' advance written notice by registered, certified mail, or facsimile must be given to the city of any cancellation, intent not to renew, or reduction in the policy coverages. The insurance requirements may be satisfied by evidence of self-insurance or other types of insurance acceptable to the city.
- (b) The limits of coverage of insurance required shall be not less than the following:
 - (1) Workers' Compensation and Employer's Liability Insurance Workers' Compensation-Florida Statutory Requirements Employer's Liability—\$1,000,000.00 limit each accident.
 - (2) Comprehensive general liability bodily injury and property damage—\$1,000,000.00 combined single limit each occurrence.

- (3) Automobile liability bodily injury and property damage—\$1,000,000.00 combined single limit each accident.

Sec. 36-148. - Indemnification.

- (a) A registrant shall, at its sole cost and expense, indemnify, hold harmless, and defend the city, its officials, boards, members, agents, and employees against any and all claims, suits, causes of action, proceedings, judgments for damages or equitable relief, and costs and expenses incurred by the city arising out of the placement or maintenance of its communications system or facilities in public rights-of-way, regardless of whether the act or omission complained of is authorized, allowed, or prohibited by this article; provided, however, that a registrant's obligation hereunder shall not extend to any claims caused by the negligence, gross negligence, or wanton or willful acts of the city. This provision includes, but is not limited to, the city's reasonable attorneys' fees incurred in defending against any such claim, suit, or proceedings. The city agrees to notify the registrant, in writing, within a reasonable time of the city receiving notice of any issue it determines may require indemnification. Nothing in this section shall prohibit the city from participating in the defense of any litigation by its own counsel and at its own cost if in the city's reasonable belief there exists or may exist a conflict, potential conflict, or appearance of a conflict. Nothing contained in this section shall be construed or interpreted: (a) as denying to either party any remedy or defense available to such party under the laws of the State of Florida; or (b) as a waiver of sovereign immunity beyond the waiver provided in Section 768.28, Florida Statutes, as it may be amended.
- (b) The indemnification requirements shall survive and be in effect after the termination or cancellation of a registration.

Sec. 36-149. - Development and objective design standards for the placement or maintenance of communications facilities in the public rights-of-way.

- (a) Terms and conditions for collocation on City utility poles.
- (1) The City utility poles do not constitute authority utility poles within the meaning of F.S. § 337.401(7). Accordingly, the City, in its discretion, may reject a registrant's request to collocate a communications facility on a City utility pole in the public rights-of-way. Any registrant allowed to collocate a communications facility on a City utility pole shall enter into an agreement with the City that is acceptable to the City Commission. The City shall not enter into an exclusive arrangement with any person for the right to attach equipment to City utility poles. The City reserves the right to enter into agreements for collocation on City utility poles in its discretion.
- (2) Reservation of space on City utility poles. The City may reserve the useable space of the vertical pole component of all City utility poles in the public rights-of-way for future public safety uses. The City may allow a registrant to replace a City utility pole at the registrant's sole cost if necessary to accommodate the collocation of the small wireless facility and the City's use. The replaced pole shall continue to be owned by the City.
- (3) The rate to collocate a small wireless facility on a City utility pole in the public rights-of-way shall be negotiated between the City and registrant.

(4) A collocation of a small wireless facility on a City utility pole shall comply with all applicable codes and this Ordinance, and shall not compromise the City utility pole's finish, functionality, or structural integrity particularly with respect to vulnerability to high velocity wind conditions.

(5) A collocation of a small wireless facility on a City utility pole shall not affect the City's ability to remove or to replace the pole in its sole discretion. A City utility pole that has been partially removed or has been designated to be removed by the City shall not be available for collocation or repurpose for collocation. Within thirty (30) days after receiving notification that the City intends to remove or to replace the utility pole, the registrant shall remove its collocated small wireless facility at its cost. In the interest of public safety and safety of City employees, a City structure in the public rights-of-way used to support an avian structure or facility shall not be available for collocation or repurpose or replacement for collocation. A City building or City utility pole extending from a building in the public rights-of-way shall not be available for collocation, or repurpose or replacement for collocation.

(b) Location context and public safety regulations. A proposed communications facility shall comply with the following location context requirements unless waived by the City. In conjunction with granting such waiver, the City may require conditions on the permit approving such facility.

(1) A registrant shall comply with and abide by all applicable provisions of the state law and City ordinances, applicable codes and regulations, quasi-judicially approved conditions for approvals, settlement agreements, applicable contracts, applicable court orders, and applicable provisions of federal statutes, FCC regulations and PSC regulations in placing or maintaining a communications facility in the public rights-of-way. Wireless facilities shall be considered to be structures under the Florida Building Code, Building Risk Category IV, Structures, Chapter 16 Section 1620—1621, High Velocity Hurricane Zone Area.

(2) All communications facilities shall be placed and maintained so as not to interfere with, create any safety hazard, or create a visual obstruction to the traveling public's the use of the public rights-of-way or the use of bicycle lanes or multipurpose trails. To avoid such visual obstructions, not utility poles for collocation of small wireless facilities or ground mounted small wireless facilities shall be located within traffic circles.

(3) For public safety purposes, aboveground communications facilities, including but not limited to, small wireless facilities, micro wireless facilities and utility poles for collocation of small wireless facilities, shall not be placed or maintained on multipurpose trails.

(4) Communications facilities shall be placed between the property line and the curb line of a street and shall not be located within a clear zone.

(5) All communications facilities shall be placed and maintained so as not to cause unreasonable interference with the rights, accessibility and safety of property owners who abut any of the public rights-of-way. By way of example, the placement or maintenance of a

communications facility in the public rights-of-way shall not cause excessive noise or light levels in violation of Chapter 22, Art. III, Section 22-69, of the City Code, shall not impede ingress and egress to adjacent property, materially block views from or into a business or residence, or materially block visibility of address or other signage on abutting properties.

(6) A registrant shall not place or maintain its communications facilities to interfere, displace, damage or destroy any facilities, including but not limited to, the City drainage plan, sewers, ponds, gas or water mains, storm drains, pipes, cables or conduits of the City or any other person's facilities or utilities lawfully occupying the public rights-of-way of the City, unless waived by the City.

(7) The City may prohibit or limit the placement of new or additional communications facilities within the public rights-of-way if there is insufficient space to accommodate all of the requests to place and maintain facilities and utilities in the proposed location of the public rights-of-way, to safely accommodate additional installations at any location, for the protection of existing facilities and utilities in the public rights-of-way, or to accommodate City plans for public improvements, other approved capital improvements projects as part of the City Comprehensive Plan, the City's smart technology or projects the City determines are in the public interest.

(8) Placement within Historic Downtown City of Stuart Geographic Area. Consistent with the City's Comprehensive Plan, to protect the history and character of the area designated as Historic Downtown City of Stuart, the City discourages and will not issue permits for following activities associated with facilities within the geographic area of historic downtown City, unless waived by the City Manager:

1. Excavation except to repair or to replace existing underground communications facilities;
2. Installation and maintenance of utility poles for the collocation of communications facilities, including small wireless facilities;
3. Installation and maintenance of small wireless facilities;
4. Installation and maintenance of micro wireless facilities;
5. Collocation of antenna; and
6. Installation and maintenance of ancillary services, including but not limited to, electric power for such facilities.

(9) Facilities to be installed underground.

- a) All facilities shall be subject to the City's non-discriminatory undergrounding requirements that prohibit above-ground structures and utilities in the public rights-of-way.

- b) Unless waived by the City, pursuant to the City's undergrounding project described in the recitals, all communications facilities shall be placed underground, to the extent that utilities have previously been placed underground or are programed to be placed underground.
- c) A registrant shall not place or maintain utility poles for the collocation of small wireless facilities or small wireless facilities in a location in the public rights-of-way where there are no existing electric or communications utility poles and where electric and communications utilities are required to be installed underground to the extent not inconsistent with applicable law.
- d) For purposes of this subsection, unless inconsistent with applicable law, adoption of a final resolution by the City Commission shall constitute an undergrounding requirement over any area of the public rights-of-way. This subsection does not apply to the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facilities, provided that if the City notifies the registrant of the micro wireless facility that aerial communications or electric distribution utilities will be converted to underground utilities, the registrant shall remove its micro wireless facility at its expense within the time frame required by the City.
- e) Conversion of overhead utilities to underground. No utility poles for the collocation of small wireless facilities, micro wireless facilities, or communications facilities shall be placed in a location in the public rights-of-way where the City Commission has determined that existing above ground electric and communications utilities should be removed and relocated underground. The presence of small wireless facilities or micro wireless facilities shall not be a basis not to comply with the City's requirements to convert above ground utilities to underground. To comply with the City's undergrounding requirements, a registrant shall remove its small wireless facilities, micro wireless facilities, and utility poles for collocation of small wireless facilities at its expense within 60 days of being notified by the City that such facilities must be removed. The City shall have the right to remove such facilities at the registrant's expense if the registrant fails to do so. For small wireless facilities installed before the City adopts requirements that public utility lines in a particular area must be placed underground, the City, in its discretion, shall: (a) allow a wireless provider to maintain the small wireless facility in place subject to any applicable pole attachment agreement with the pole owner; or (b) allow the wireless provider to replace the associated pole within 50 feet of the prior location in accordance with the objective design standards contained within this Ordinance.
- f) Notwithstanding the provisions of this subsection, the City may approve a permit for a new utility pole for collocation of a small wireless facility in an area where all public utility lines must be placed underground, if a wireless provider satisfies the following:

- i. The wireless provider provides information from a licensed engineer that the City has not allowed structures to remain above ground that are reasonably available to the wireless provider for the collocation of small wireless facility and that may be replaced by a wireless provider to accommodate the collocation of small wireless facilities;
- ii. The proposed utility pole otherwise complies with this Ordinance; and
- iii. The wireless provider provides information acceptable to the City from a licensed engineer that it is not reasonably able to provide wireless service by collocation on a remaining utility pole or other structure in the rights-of-way.

(10) Prohibition against placement in violation of OSHA or NESC or NERC rules and regulations. Communications facilities, including but not limited to small wireless facilities and utility poles for the collocation of small wireless facilities shall not be placed in a location which violates rules and regulations set by Occupational Safety and Health Administration or the National Electrical Safety Code or the North American Electric Reliability Corporation standards. By way of example and not limitation, if required by such rules and regulations, a small wireless facility or utility pole intended to support the collocation of a small wireless facility may not be placed within a ten (10) foot radius of an electric distribution facility or within a twenty (20) foot radius of an electric transmission line.

(11) Prohibition against placement within a location subject to homeowners' association restrictions. Small wireless facilities shall not be placed in a location subject to covenants, restrictions, articles of incorporation, or bylaws of a homeowners' association unless specifically authorized by the homeowners' association. For purposes of this subsection, to the extent not inconsistent with applicable law, a location in a public right-of-way that abuts parcels within a homeowners' association on both sides of its width shall be considered a location subject to covenants, restrictions, articles of incorporation, or bylaws of such homeowners' association. This subsection shall not apply to limit the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial communications facility.

(12) Placement in relation to adjacent uses of property and building facades thereon. Where parking and/or loading spaces are not permitted between a building façade and the corresponding property line (i.e. front façade and front property line, side street façade and side street property line) by design standard, or such spaces do not exist in those locations on existing properties, new communication facilities and new utility poles for collocation of small wireless facilities shall be placed in-line with the common, interior side lot lines and shall not be placed in-line with the front/principal façade of a residence, place of business, or any other principal use building located on property that abuts the public rights-of-way.

(13) Specific locations, capital improvement projects, districts and community redevelopment agency areas.

(a) A registrant shall not place new utility poles for the collocation of small wireless facilities, small wireless facilities or micro wireless facilities within the public rights-of-way in such a location that would interfere with or impair the City's ability to pursue the projects identified within the City's Capital Improvement Program (CIP), unless waived by the City Manager. In conjunction with granting such waiver, the City may require conditions on the permit approving such facility so as to minimize the impact on the CIP. A registrant shall relocate at its expense, its utility poles, small wireless facilities and micro wireless facilities that need to be relocated to accommodate the City's CIP construction, to the extent not inconsistent with applicable law.

(b) Small wireless facilities, utility poles for collocation of small wireless facilities and aerial communications facilities shall not be permitted in an area within the public rights-of-way that would interfere with a public art program. The City may notify a registrant to relocate at its cost a utility pole used for collocation of a small wireless facility or ground mounted small wireless facility if such location interferes with a planned installation of art. A registrant that damages an object of art installed pursuant to an art program shall be responsible for the costs of the art and shall indemnify the City as required in this Ordinance. The City reserves the right to require an additional bond in conjunction with an application to place or maintain a communications facility in an area where an art object has been located.

(14) A structure granted a permit and installed pursuant to this Ordinance shall comply with F.S. ch. 333, and City or federal regulations pertaining to airport airspace protections.

(15) Historic preservation. This Ordinance does not limit the City's authority to enforce historic preservation zoning regulations consistent with the preservation of local zoning authority under 47 U.S.C. § 332(c)(7), the requirements for facility modifications under 47 U.S.C. § 1455(a), or the National Historic Preservation Act of 1966, as amended, and the regulations adopted to implement such laws. Communications facilities shall not be permitted to be collocated on or to interfere with historic property or landmark that may be within or adjacent to the public rights-of-way unless waived by the City. The City shall not allow small wireless facilities, utility poles for the collocation of small wireless facilities or micro wireless facilities to be located in a manner that would impact negatively historic property or landmark unless waived by the City. Historic properties and landmarks may be so designated as being listed in the National Register of Historic Places pursuant to the National Historic Preservation Act of 1966, as amended, a property within a National Register-listed district, or individually listed in the Florida or City Register of Historic Places, consistent with City codes, administrative rules, or regulations that were adopted by City ordinance on or before April 1, 2017, which are applicable to a historic area designation by the state or City. Any person seeking a permit from any governmental entity with jurisdiction over any historic property within the City's boundaries shall first submit a request for historic impact review with the appropriate historic governmental authority and shall provide a copy of such request to the City.

(c) **OBJECTIVE DESIGN STANDARDS.**

(1) Intent and purpose. Small wireless facilities in the public rights-of-way and utility poles installed or repurposed in the public rights-of-way for collocation of small wireless facilities shall be designed in such a manner to maximize compatibility with the surrounding neighborhood and to minimize any negative visual impact on the surrounding neighborhood. The objective design standards contained in this Ordinance regulating the location context, color, stealth design, and concealment of the proposed small wireless facility shall apply, unless waived by the City.

(2) Applicants shall not place or maintain signage on communications facilities, including small wireless facilities or utility poles for collocation of small wireless facilities, in public rights-of-way, unless otherwise required by federal or State law, provided; however, existing structures that lawfully supported signage before being repurposed may continue to support signage as otherwise permitted by law.

(3) A small wireless facility shall not have any type of lighted signal, lights, or illuminations unless required by applicable codes, local codes or regulations, a permit issued by the City, or state and federal laws and regulations or as permitted by the City.

(4) Design standards for Utility Poles. Stealth design for new or replaced utility poles for collocation of small wireless facilities. All proposed new or replaced utility poles for collocation of small wireless facilities shall comply with applicable codes and shall meet the design standards contained in this subsection unless waived by the City.

(a) A replaced or restructured utility pole to accommodate the collocation of a small wireless facility shall be in substantially the same location as the original utility pole.

(b) The replaced or restructured utility pole shall be substantially similar in finish, base and pole design, diameter, material and height as the original pole being replaced, unless the City requires a different design, color or composition to be consistent with applicable City standards for new utility poles.

(c) Unless waived by the City, the height for a new utility pole or replaced utility pole installed pursuant to this Ordinance shall not exceed the height of the tallest existing utility pole as of July 1, 2017, in the same right-of-way, measured from grade, in place within 500 feet of the proposed location of the small wireless facility. If there is no utility pole within 500 feet in the same public right-of-way as of July 1, 2017, the height shall be limited to 50 feet measured from grade. Height shall include only the height of the utility pole and shall not include any light, antennas, masts or other attachments to the utility pole.

(d) Unless waived by the City, a new utility pole shall be designed to be substantially similar in design to the predominant type of other utility poles at the proposed location in the same block or vicinity of the public rights-of-way. Such design aspects to follow

include the material, base, pole diameter and style, location and style of attachments, finish, and cap, as applicable. By way of example, if existing utility poles in the same area of the public rights-of-way are light poles, the new utility pole should be designed substantially similar to such light poles and to the extent consistent with location context regulations, equidistant between existing poles. Unless waived by the City, any such stealth utility pole for collocation of a small wireless facility shall function in the same manner as the facility it is intended to resemble in compliance with the Code, at the expense of the registrant to the extent not inconsistent with applicable law. By way of example, if a registrant installs a utility pole for collocation of a small wireless facility to resemble a nearby light pole, the registrant is encouraged to include a light that is operated in the same manner as other light poles, at the registrant's expense. The City Manager may, in the exercise of discretion, approve a collocation of a small wireless facility on a City light pole that would otherwise not qualify for collocation under this Ordinance.

(e) Notwithstanding this subsection, if the proposed location of a new utility pole for collocation of a small wireless facility is within a public right-of-way that is within a particular zoning district, planned unit development, community development district, community redevelopment agency, or a homeowners' association that has design standards applicable to utility poles, such proposed utility pole shall substantially comply with such design standards.

(f) If there are no existing utility poles in close proximity to a proposed new utility pole for collocation of a small wireless facility, a proposed new utility pole shall be required to demonstrate the factors required for a proposed utility pole where all utility lines must be located underground.

(g) This subsection does not authorize the installation of a new utility pole for collocation of a small wireless facility in a location that is otherwise prohibited pursuant to court order, applicable codes, Florida law, or City Code including this Ordinance.

(5) Stealth design for collocation of small wireless facilities.

(a) Wires, cables and equipment to be collocated on a utility pole shall be within the utility pole or if not possible to being installed within the utility pole, covered with a shroud. No exposed wires or cables are permitted.

(b) If the utility pole for the proposed collocation of a small wireless facility is a light pole, a street light fixture substantially similar in design to the existing street light fixture shall be used to camouflage the small wireless facility such as through replacement of the cobra head with a new cobra head containing the small wireless facility, or a side-mounted light may be replaced with a substantially similarly designed side mounted light containing the small wireless facility, to the extent not inconsistent with applicable law. Unless consistent with the design of the utility pole, a small wireless facility shall not be

collocated on a mast of a utility pole. In no event shall a small wireless facility be collocated on the mast of a utility pole that serves as a traffic signal pole. Any street light fixture installed by the registrant shall be maintained in good working order by the registrant at its cost.

(c) Slim design shall be used wherein the top mounted antenna does not exceed the diameter of the supporting utility pole at the level of the antenna attachment by more than six inches, or if applicable for other than round poles, by more than six inches on each side, and side mounted enclosures, if any, do not extend more than twenty-four (24) inches beyond the exterior dimensions of the existing structure, repurposed structure or utility pole at the level of antenna attachment measured from the edge of the pole to the outermost surface of the antenna.

(d) Maximum height restrictions. A small wireless facility, including any attached antennas, shall not exceed ten (10) feet above the existing structure, repurposed structure or utility pole upon which the small wireless facility is to be collocated. A small wireless facility in the public rights-of-way shall not be used for the attachment of any communications facilities or fiber other than the equipment included within the small wireless facility.

(6) Small wireless facilities not collocated on utility poles or existing structures.

(a) Ground-mounted small wireless facilities up to 28 cu. ft. in dimension shall be located within a ten (10) foot radius of the existing structure or utility pole for the collocated small wireless facility.

(b) The ground-mounted small wireless facility shall be architecturally designed and of the same materials and color finish to be substantially similar to other at-grade infrastructure within 500 feet of the proposed location in the public rights-of-way such as waste receptacles or utility facilities. If the ground-mounted small wireless facility is not substantially similar to other at-grade infrastructure as set forth herein, the proposed small wireless facility shall be submitted to the City for review and approval.

(c) To the extent not inconsistent with applicable codes, at the City's direction, ground-mounted small wireless facilities shall be enclosed in a wrap the design of which has been approved by the City staff. The registrant shall maintain the wrap in good condition at its sole cost and expense. The City may designate specific areas of the City where all ground-mounted small wireless facilities must be enclosed in a wrap.

(d) To the extent not inconsistent with applicable codes, at the City's direction the registrant owner of a ground mounted small wireless facility or other ground mounted communications facilities in the public rights-of-way shall conceal the facility with landscaping and plantings. Landscaping and plantings pursuant to this subsection shall be subject to the City's approval and be maintained by the registrant at its sole cost and

expense consistent with the Code for so long as the small wireless facility or communications facility remains in the public rights-of-way.

(e) The City Manager or Development Director is authorized to create a manual showing figures of acceptable and unacceptable designs for facilities to be placed or maintained in the public rights-of-way.

(7) Development standards for communications facilities other than small wireless facilities and utility poles for collocation of small wireless facilities.

(a) Dimensional limits. No communications facility other than small wireless facilities located aboveground, excluding utility poles, having exterior dimensions greater than four feet high, by four and one-half feet long, by two and one-half feet wide, or having a total volume exceeding 45 cubic feet, shall be granted a permit for construction or installation nor shall be constructed within the corporate limits of the City on any public rights-of-way unless:

(1) The communication service provider can properly demonstrate in its permit application for placement of communication facilities in the public rights-of-way that strict compliance with the dimensional limits in this subsection will prevent the communications service provider from installing, constructing, maintaining, or providing its communications network; and

(2) The communication service provider demonstrates in its permit application that the proposed communications facilities it desires to construct which exceeds the dimensional limits set forth above in this subsection are necessary to provide adequate capacity to meet the requirements of the applicant at a specific location, or that said limits are otherwise technologically infeasible at the location, and that the proposed equipment the service provider desires to utilize is of the minimum size available to meet the requirements of the applicant's communications network; and

(3) The communications service provider demonstrates in its permit application that the proposed communications facilities are located and composed in a manner to minimize adverse impacts to abutting properties and the surrounding neighborhood and does not create a hazard by impairment of visibility to motorists or pedestrians at the proposed site and does not negatively impact or violate location and other regulations contained in this Ordinance: and

(4) The communications facility proposed by the communications provider does not otherwise create a hazard to the public health, safety and welfare.

(b) Notice to residential areas. Whenever a communications service provider subject to this subsection submits a permit application to locate communications equipment

which exceeds the dimensional limits in this subsection within residentially-zoned districts in the City, the applicant shall provide notice by posting an 18" x 24" sign, satisfactory to the City, at the proposed location advising residents that they may review the permit application at the City and provide their comments to the City. The sign shall be posted a minimum of 30 days prior to any decision being made on the permit application to allow adequate time for input by residents and so as not to unduly delay the processing of any application.

- (5) Small wireless facilities may not displace any existing street tree or landscape features unless:
- a) such displaced street tree or landscaping is replaced with native and/or trees, plants or other landscape features approved by the City, and
 - b) the applicant submits and adheres to a landscape maintenance plan or agrees to pay an appropriate in-lieu fee for the maintenance costs.

Sec. 36-150. - Security fund.

- (a) At or prior to the time a registrant receives its first permit to place or maintain a communications facility in public rights-of-way after the effective date of this article, the registrant may be required to file with the city, for city approval, an annual surety, cash deposit, or irrevocable letter of credit in the sum equal to \$50,000.00, having a surety a company qualified to do business in the State of Florida, and acceptable to the finance director and city attorney, which shall be referred to as the "security fund."
- (b) The security fund shall be maintained from such time through the earlier of:
 - (1) The transfer, sale, assignment, or removal of all communications facilities in public rights-of-way; or
 - (2) Twelve months after the termination or cancellation of any registration.
- (c) The security fund shall be conditioned on the full and faithful performance by the registrant of all requirements, duties, and obligations imposed upon the registrant by the provisions of this article. The security fund shall be furnished annually or as frequently as necessary to provide a continuing guarantee of the registrant's full and faithful performance at all times. In the event a registrant fails to perform its duties and obligations imposed upon the registrant by the provisions of this article, subject to section 36-154 of this article, there shall be recoverable, jointly and severally from the principal and surety of the security fund, any damages or loss suffered by the city as a result, including the full amount of any compensation, indemnification or cost of removal, relocation or abandonment of any facilities of the registrant in public rights-of-way, plus a reasonable allowance for attorneys' fees, up to the full amount of the security fund.

Sec. 36-151. - Abandonment of a communications facility.

- (a) At such time that a communications facility owned by a registrant in public rights-of-way ceases to be active for longer than thirty (30) days, the registrant shall notify the city within ninety (90) days.

- (b) The city may direct the registrant by written notice to remove all or any portion of such abandoned facility at the registrant's sole expense if the city determines that the abandoned facility's presence interferes with the public health, safety, or welfare, which shall include, but shall not be limited to, a determination that such facility: (a) compromises safety at any time for any public rights-of-way user or during construction or maintenance in public rights-of-way; (b) prevents another person from locating facilities in the area of public rights-of-way where the abandoned facility is located when other alternative locations are not reasonably available; or (c) creates a maintenance condition that is disruptive to the use of the public rights-of-way. In the event of (b), the city may require the third person to coordinate with the registrant that owns the existing facility for joint removal and placement, where agreed to by the registrant.
- (c) In the event the city does not direct the removal of the abandoned facility, the registrant, by its notice of abandonment to the city, shall be deemed to consent to the alteration or removal of all or any portion of the facility by the city or another person at such third party's cost.
- (d) If the registrant fails to remove all or any portion of an abandoned facility as directed by the city within a reasonable time period as may be required by the city under the circumstances, the city may perform such removal and charge the cost of the removal against the registrant.

Sec. 36-152. - Reservation of rights and remedies.

- (a) The city reserves the right to amend this article as it shall find necessary in the lawful exercise of its police powers.
- (b) This article shall be applicable to all communications facilities placed in the public rights-of-way on or after the effective date of this article and shall apply to all existing communications facilities in the public rights-of-way prior to the effective date of this article, to the full extent permitted by state and federal law.
- (c) The adoption of this article is not intended to affect any rights or defenses of the city or a communications services provider under any existing franchise, license, or other agreements with a communications services provider.
- (d) Nothing in this article shall affect the remedies the city or the registrant has available under applicable law.
- (e) Any person who uses the communications facilities of a registrant, other than the registrant that owns the facilities, shall not be entitled to any rights to place or maintain such facilities in excess of the rights of the registrant that places or maintains the facilities.

Sec. 36-153. - Enforcement Remedies.

(a) Nothing in this Ordinance shall affect or limit the remedies the City has available under applicable law. In addition to any other remedies available at law, including but not limited to F.S. §§ 166.0415 (municipalities) and ch. 162, (municipalities and counties), or equity or provided in this section, the City may apply any one or combination of the following remedies in the event a registrant violates this Ordinance, or applicable local law or order related to the public rights-of-way.

(b) In addition to the City's ability to terminate a registration pursuant to this Ordinance or to deny, suspend or revoke permits, the failure to comply with the provisions of this Ordinance or other law applicable to occupants of the public rights-of-way may result in imposition of penalties to be paid by the responsible person to the City in an amount of not less than \$100.00 per day or part thereof that the violation continues. A registrant's or person's failure to obtain a permit before commencing work, except

where a permit is not required pursuant to this Ordinance, may result in imposition of penalties to be paid to the City in an amount of not less than \$1,000.00 or maximum amount allowed under applicable law, per day or part thereof that the violation continues.

(c) In addition to or instead of any other remedy, the City may seek legal or equitable relief from any court of competent jurisdiction.

(d) Before imposing a fine, the City shall give written notice of the violation and its intention to assess such penalties, which notice shall contain a description of the alleged violation. Following receipt of such notice, the person shall have 30 days to either:

i. Cure the violation to the City's satisfaction, and the City shall make good faith reasonable efforts to assist in resolving the violation; or

ii. File an appeal with the City to contest the alleged violation pursuant to this Section, which shall govern such appeal. If no appeal is filed and if the violation is not cured within the 30-day period, the City may collect all fines owed, beginning with the first day of the violation, through any means allowed by law.

(e) In determining which remedy or remedies are appropriate, the City or Special Magistrate shall take into consideration the nature of the violation, the person or persons bearing the impact of the violation, the nature of the remedy required to prevent further violations, and such other matters as the City or Special Magistrate determines are appropriate to the public interest.

(f) Failure of the City to enforce any requirements of this Ordinance shall not constitute a waiver of the City's right to enforce that violation or subsequent violations of the same type, or to seek appropriate enforcement remedies.

(g) In any proceeding before the City where there exists an issue with respect to a registrant's performance of its obligations pursuant to this Ordinance, the registrant shall be given the opportunity to provide such information as it may have concerning its compliance with the terms and conditions of this Ordinance. The City may find a registrant that does not demonstrate compliance with the terms and conditions of this Ordinance in default and apply any one or combination of the remedies otherwise authorized by this Section.

(h) Force majeure. In the event a registrant's performance of or compliance with any of the provisions of this Ordinance is prevented by a force majeure cause or event not within the registrant's control, such inability to perform or comply shall be deemed excused and no penalties or sanctions shall be imposed as a result, provided, however, that such registrant uses all practicable means to cure or correct any such inability to comply expeditiously.

Secs. 36-155 through 36-173. – Reserved.